



California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

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TITLE 5. COMMISSION ON TEACHER CREDENTIALING

Division VIII of Title 5 of the California Code of Regulations

Proposed Additions to 5 California Code of Regulations §§80034.1, 80034.2, and 80034.3 and Amendments to §§80035, 80035.1, and 80035.5 Pertaining to Career Technical Education Teaching Credentials

Notice of Proposed Rulemaking

The Commission on Teacher Credentialing proposes to add and amend the regulatory action described below after considering all comments, objections and recommendations regarding the proposed action.

Public Hearing

A public hearing on the proposed actions will be held:

August 6, 2009

9:00 a.m.

**Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, California 95814**

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by e-mail on the proposed action. The written comment period closes at 5:00 p.m. on August 3, 2009. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 322-0048; write to the Commission on Teacher Credentialing, attn. Tammy A. Duggan, 1900 Capitol Avenue, Sacramento, California 95814-4213; or submit an email at tduggan@ctc.ca.gov.

Any written comments received 18 days prior to the public hearing will be reproduced by the Commission's staff for each member of the Commission as a courtesy

to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

Authority and Reference

Education Code section 44225 authorizes the Commission to promulgate rules and regulations, which will implement, interpret or make specific sections 44225(e), 44225(q), 44256, 44260 and 44260.1 of the Education Code and govern the procedures of the Commission.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Regulations

Senate Bill 52 (Chap. 520, Stats. 2007) amended Education Code §§44260 and 44260.1 and changed the name of Designated Subjects Vocational Education Teaching Credentials to Designated Subjects Career Technical Education Teaching Credentials. SB 52 also added Education Code §44260.9 that consolidated the 175 vocational education subjects into 15 industry sectors and mandated that the Commission convene an advisory committee to make recommendations regarding credential requirements. The final issue date for an initial Designated Subjects Vocational Education Teaching Credential was October 31, 2007. The Commission has been issuing Preliminary Designated Subjects Full-Time and Part-Time CTE Teaching Credentials based on five years of work experience since October 12, 2007.

Senate Bill 1104 (Chap. 576, Stats. 2008) further amended Education Code §§44260 and 44260.1 and included several recommendations by the advisory committee as follows: 1) requires submission of preliminary and clear CTE applications through Commission-approved program sponsors; 2) reduces the experience required to qualify for the preliminary credential from five years to three years; 3) reduces the term of the preliminary credential from five years to three years; 4) moves the U.S. Constitution requirement from the preliminary to clear credential; and 5) eliminates the 'full-time' and 'part-time' designators.

The *Standards of Quality and Effectiveness for Career Technical Education Teachers* were adopted by the Commission in August 2008 and program sponsors are currently writing to the new standards. The Commission will continue to issue five-year 'full-time' and 'part-time' preliminary CTE credentials based on five years of full-time experience until CTE program sponsors receive approval from the Commission that they may offer the new programs. The program sponsors may then start to request issuance of the Three-Year Preliminary CTE Teaching Credential based on three years of experience.

The new CTE program standards include training for the instruction of English learners. The English learner authorization will not be listed on the Three-Year Preliminary CTE Credential, but the Specially Designed Academic Instruction Delivered in English (SDAIE) authorization will be listed on the clear credential for individuals who complete programs under the new CTE standards.

From January 1, 2009 until August 31, 2013, the

Commission will be issuing eight types of Designated Subjects CTE and Vocational Education Teaching Credentials. Individuals issued Preliminary Full-Time or Part-Time Vocational Education or CTE Teaching Credentials under pre-SB 1104 regulations will be allowed time to complete their current programs. The following chart lists the eight types of designated subjects credentials, the proposed regulation additions or amendments, and the associated sunset dates:

Credential Type	Associated Regulations	Sunset Date
Three-Year Preliminary CTE	§§80034.1, 80034.2 and 80035.5	N/A
Clear CTE with SDAIE authorization	§§80034.1, 80034.2 and 80035.5	N/A
Five-Year Preliminary Full-Time CTE	§§80035 and 80035.5	August 31, 2010
Clear Full-Time CTE	§§80035 and 80035.5	August 31, 2013
Clear Full-Time Vocational Education	§80035	August 31, 2013
Five-Year Preliminary Part-Time CTE	§§80035.1 and 80035.5	August 31, 2010
Clear Part-Time CTE	§§80035.1 and 80035.5	August 31, 2013
Clear Part-Time Vocational Education	§80035.1	August 31, 2013

The proposed regulations include the following recommendations made by the CTE advisory committee that were not included in SB 1104:

- 1) Allow advanced industry certifications to meet one year of the three years of experience required for the Three-Year Preliminary CTE Teaching Credential, as determined by a Commission-approved program;
- 2) Accept one year of general education teaching experience toward the three years of experience required for the Three-Year Preliminary CTE Teaching Credential;
- 3) Create a teaching authorization for industry experts who may want to teach part-time for only a brief period as their skills are in high demand in the workplace as approved by the Commission at the April 2009 Commission Meeting.

The proposed regulations also include a reduction in the number of hours of full-time work experience required to equal one year from 1500 hours to 1000 hours based on the recommendation made by the CTE advisory committee and approved by the Commission at the April 2009 Commission Meeting.

Proposed Additions to Title 5 Regulations

Section 80034.1

The proposed addition of this section defines the terminology used within the regulations pertaining to designated subjects CTE teaching credentials issued pursuant to SB 1104.

Similar ‘definitions and terms’ language is provided in T5 §80034 for the issuance of other designated subjects credential types (adult education, vocational education and special subjects).

Section 80034.2

This section outlines the requirements for and authorizations of CTE credentials issued pursuant to SB 1104.

(a)(1) through (a)(5): Provides the minimum requirements for initial issuance of a Three-Year Preliminary CTE Teaching Credential.

(a)(1)(A): Allows for the acceptance of an advanced industry certificate (as determined by a Commission-approved LEA) for up to one year of work experience.

(a)(1)(B): Allows for acceptance of one year full-time teaching experience earned while holding a general education teaching credential to meet one year of work experience.

(a)(1)(C): Allows for acceptance of 48 semester units of postsecondary vocational training to satisfy up to two years of work experience.

(a)(2): Indicates that a high school diploma or the equivalent as defined in §80034.1(c) is required for issuance of a preliminary CTE credential.

(a)(3) and (a)(5): Indicate that the preliminary CTE credential application must be submitted by a Commission-approved LEA.

(a)(4): Language to reference the specific application form, including the instructions to complete the form, that applicants applying for issuance of a preliminary CTE credential must use to provide the information

needed to process the application including birth date, social security number, and current address and also responding to professional fitness questions and signing an oath and affidavit is referenced.

Staff is also recommending the inclusion of livescan in (a)(4). Education Code §44340 requires the submission of identification (fingerprint) cards with each application. However, the Department of Justice now requires submission of fingerprints via livescan (electronic process) and no longer accepts fingerprint cards (SB 970, Chap. 470, Stats. 2003, effective July 1, 2005).

(b)(1) through (b)(8): Provide the minimum requirements for issuance of a Clear CTE Teaching Credential.

(b)(3)(B): Indicates that completion of an approved advanced personalized preparation program is acceptable in lieu of two years of successful teaching experience, as allowed in the CTE program standards approved by the Commission in August 2008.

(b)(4): U.S. Constitution is a requirement for the clear credential, not the preliminary credential, pursuant to EC §44260.1(e).

(b)(7): Language to reference the specific application form, including the instructions to complete the form, that applicants applying for issuance of a clear CTE credential must use to provide the information needed to process the application including birth date, social security number, and current address and also responding to professional fitness questions and signing an oath and affidavit is referenced.

(c)(1): Provides the authorization for the Preliminary CTE Teaching Credential.

(c)(2): Provides the authorization for the Clear CTE Teaching Credential, including the SDAIE (English learner) authorization.

(d)(1): States that the term for the preliminary CTE credential is three years.

(d)(2): States that the term for the clear CTE credential is five years.

Section 80034.3

This section outlines the requirements for the Business and Industry Partnership Teacher (BIPT) authorization for industry experts who may only want to teach for a short period of time.

(a)(1) through (a)(5): Provides the minimum requirements for initial issuance of the BIPT authorization.

(a)(1)(A): Allows for the acceptance of an advanced industry certificate (as determined by a Commission-approved LEA) for up to one year of work experience.

(a)(1)(B): Allows for acceptance of one year full-time teaching experience earned while holding a general education teaching credential to meet one year of work experience.

(a)(1)(C): Allows for acceptance of 48 semester units of postsecondary vocational training to satisfy up to two years of work experience.

(a)(2): Indicates that a high school diploma or the equivalent as defined in §80034.1(c) is required for issuance of a preliminary CTE credential.

(a)(3) and (a)(5): Indicate that the applicant must be apprised of the early teaching orientation requirement and that the BIPT application must be submitted by a Commission-approved LEA.

(a)(4): Language to reference the specific application form, including the instructions to complete the form, that applicants applying for issuance of the BIPT authorization must use to provide the information needed to process the application including birth date, social security number, and current address and also responding to professional fitness questions and signing an oath and affidavit is referenced.

Staff is also recommending the inclusion of livescan in (a)(4). Education Code §44340 requires the submission of identification (fingerprint) cards with each application. However, the Department of Justice now requires submission of fingerprints via livescan (electronic process) and no longer accepts fingerprint cards (SB 970, Chap. 470, Stats. 2003, effective July 1, 2005).

(b): Allows for acceptance of any requirements of a CTE program of personalized preparation completed while holding a BIPT authorization toward the issuance of a clear CTE credential if an individual is subsequently issued a preliminary CTE teaching credential.

(c): Provides the authorization for the BIPT.

(d): States that the BIPT is issued for one school year, that it is not renewable, and defines ‘end of the school year’.

Proposed Amendments to Title 5 Regulations

Section 80035

The title of this section has been amended to include Full-Time Preliminary and Clear CTE Teaching Credentials.

(a): This subsection provides for the issuance of five-year full-time credentials. Since the Commission discontinued initial issuance of vocational education credentials on November 1, 2007, “vocational” has been replaced with “career technical”.

(a)(1): “Subjects” has been amended to “industry sectors” in accordance with EC §44260.9 and proposed amendments to T5 §80035.5. In addition, the number of clock hours required to equal one year of work experience has been amended from 1500 to 1000 hours based on Commission approval of the CTE Advisory Panel’s recommendation in April 2009.

(a)(4): Amended to indicate that all CTE applications must be submitted to the Commission for processing by Commission-approved LEAs.

(a)(5): Language amended to reference the specific application form, including the instructions to complete the form, that applicants applying for issuance of a preliminary full-time CTE credential must use to provide the information needed to process the application including birth date, social security number, and current address and also responding to professional fitness questions and signing an oath and affidavit is referenced.

Language pertaining to the completion of livescan is also proposed. Education Code §44340 requires the submission of identification (fingerprint) cards with each application. However, the Department of Justice now requires submission of fingerprints via livescan (electronic process) and no longer accepts fingerprint cards (SB 970, Chap. 470, Stats. 2003, effective July 1, 2005). Staff is recommending the addition of livescan to (a)(5) along with the deletion of the language pertaining to fingerprint cards and the obsolete form that was required with the fingerprint cards (Application for Character and Identification Clearance).

Deleted duplicative requirements and LEA recommendation language that will be listed separately in subsection (a)(6).

(a)(6): Requires recommendation for the preliminary credential by a Commission-approved LEA.

(a)(7): Sets the final issuance date for an initial Preliminary Five-Year Full-Time CTE Teaching Credential.

(b) and (b)(1): 'Career technical education' added to (b) and (b)(1).

(c): This subsection previously outlined provisions for a one-time preliminary reissuance to individuals who had not satisfied the teaching experience requirement. As regulations pertaining to appeals are provided in T5 §80523, this section has been amended to list the requirements for the Clear Full-Time CTE Teaching Credential.

(c)(1): Amended to delete 'vocational' and add 'career technical'.

(c)(3): Amended to add the teaching experience requirement for the clear credential.

(c)(4): Subsection renumbered and language pertaining to health education requirement clarified, to include appropriate EC citation.

(c)(5): Subsection renumbered and language amended to reference the specific application form, including the instructions to complete the form, that applicants applying for issuance of a clear full-time CTE credential must use to provide the information needed to process the application including birth date, social security number, and current address and also responding to professional fitness questions and signing an oath and affidavit is referenced.

Deleted duplicative requirements and LEA recommendation language that will be listed separately in subsection (c)(6).

(c)(6): Requires recommendation for the clear credential by a Commission-approved LEA.

(c)(7): Establishes the program completion date for Clear Full-Time CTE Teaching Credentials.

(d)(2): Proposing deletion of superfluous language pertaining to the teaching experience requirement and minor language additions made for clarification.

(d)(4): Language pertaining to health education requirement clarified, to include appropriate EC citation.

(d)(5): Language amended to reference the specific application form, including the instructions to complete the form, that applicants applying for issuance of a clear full-time Vocational Education credential must use to provide the information needed to process the application including birth date, social security number, and current address and also responding to professional fitness questions and signing an oath and affidavit is referenced.

Deleted duplicative requirements and LEA recommendation language that will be listed separately in subsection (d)(6).

(d)(6): Requires recommendation for the clear credential by a Commission-approved LEA.

(d)(7): Establishes the program completion date for Clear Full-Time Vocational Education Teaching Credentials.

(e): Amended to add 'career technical education', 'industry sector(s)', and 'career' to authorization where applicable.

(f): Amendment to add 'career technical education' credentials.

(f)(1): Amended to replace 'vocational' with 'career technical education' as the Commission discontinued initial issuance of preliminary full-time vocational education teaching credentials on November 1, 2007.

Language amended to reference the specific application form, including the instructions to complete the form, that applicants applying for issuance of a clear full-time Vocational Education credential must use to provide the information needed to process the application including birth date, social security number, and current address and also responding to professional fitness questions and signing an oath and affidavit is referenced.

(f)(2): Amended to replace 'vocational' with 'career technical education' as the Commission discontinued initial issuance of preliminary full-time vocational education teaching credentials on November 1, 2007.

(f)(3): Deleting old language allowing for five year reissuance of preliminary full-time vocational education teaching credentials as the final date to complete

the requirements for a clear full-time vocational education teaching credential is August 31, 2013 as stated in subsection (d)(7).

Added information pertaining to the validity of Clear Full-Time CTE Teaching Credentials to subsection (f)(4) that will replace this deleted subsection.

(g): Proposing deletion of this section, as renewal of clear credentials is provided in T5 §80493 and EC §44251(a)(4). Also proposing deletion of language pertaining to professional growth requirements pursuant to amendments to EC §44277(a) that removed professional growth and successful service requirements for renewal of teaching and services credentials.

Section 80035.1

The title of this section has been amended to include Part-Time Preliminary and Clear Career Education Teaching Credentials.

(a): This subsection provides for the issuance of five-year part-time credentials. Since the Commission discontinued initial issuance of vocational education credentials on November 1, 2007, “vocational” has been replaced with “career technical”.

(a)(1): “Subjects” has been amended to “industry sectors” in accordance with EC §44260.9 and proposed amendments to T5 §80035.5. In addition, the number of clock hours required to equal one year of work experience has been amended from 1500 to 1000 hours based on Commission approval of the CTE Advisory Panel’s recommendation in April 2009.

(a)(3): Amended to indicate that all CTE applications must be submitted to the Commission for processing by Commission-approved LEAs.

(a)(4): Language amended to reference the specific application form, including the instructions to complete the form, that applicants applying for issuance of a preliminary part-time CTE credential must use to provide the information needed to process the application including birth date, social security number, and current address and also responding to professional fitness questions and signing an oath and affidavit is referenced.

Language pertaining to the completion of livescan is also proposed. Education Code §44340 requires the submission of identification (fingerprint) cards with each application. However, the Department of Justice now requires submission of fingerprints via livescan (electronic process) and no longer accepts fingerprint cards (SB 970, Chap. 470, Stats. 2003, effective July 1, 2005). Staff is recommending the addition of livescan to (a)(4) along with the deletion of the language pertaining to fingerprint cards and the obsolete form that was required with the fingerprint cards (Application for Character and Identification Clearance).

(a)(5): Requires recommendation for the preliminary credential by a Commission-approved LEA.

(a)(6): Sets the final issuance date for an initial Preliminary Five-Year Part-Time CTE Teaching Credential.

(b) and (b)(1): ‘Career technical education’ added to (b) and (b)(1).

(c): This subsection previously outlined provisions for a one-time preliminary reissuance to individuals who had not satisfied the teaching experience requirement. As regulations pertaining to appeals are provided in T5 §80523, this section has been amended to list the requirements for the Clear Part-Time CTE Teaching Credential.

(c)(1): Amended to delete ‘vocational’ and add ‘career technical’.

(c)(3): Amended to add the teaching experience requirement for the clear credential.

(c)(4): Subsection renumbered and language pertaining to health education requirement clarified, to include appropriate EC citation.

(c)(5): Subsection renumbered and language amended to reference the specific application form, including the instructions to complete the form, that applicants applying for issuance of a clear part-time CTE credential must use to provide the information needed to process the application including birth date, social security number, and current address and also responding to professional fitness questions and signing an oath and affidavit is referenced.

Deleted duplicative requirements and LEA recommendation language that will be listed separately in subsection (c)(6).

(c)(6): Requires recommendation for the clear credential by a Commission-approved LEA.

(c)(7): Establishes the program completion date for Clear Part-Time CTE Teaching Credentials.

(d)(2): Proposing deletion of superfluous language pertaining to the teaching experience requirement and minor language additions made for clarification.

(d)(4): Language pertaining to health education requirement clarified, to include appropriate EC citation.

(d)(5): Language amended to reference the specific application form, including the instructions to complete the form, that applicants applying for issuance of a clear part-time Vocational Education credential must use to provide the information needed to process the application including birth date, social security number, and current address and also responding to professional fitness questions and signing an oath and affidavit is referenced.

Deleted duplicative requirements and LEA recommendation language that will be listed separately in subsection (d)(6).

(d)(6): Requires recommendation for the clear credential by a Commission–approved LEA.

(d)(7): Establishes the program completion date for Clear Part–Time Vocational Education Teaching Credentials.

(e): Amended to add ‘career technical education’, ‘industry sector(s)’, ‘career’, and ‘career technical’ to authorization where applicable.

(f): Amendment to add ‘career technical education’ credentials.

(f)(1): Amended to replace ‘vocational’ with ‘career technical’ as the Commission discontinued initial issuance of preliminary part–time vocational education teaching credentials on November 1, 2007.

(f)(2): Deleting old language allowing for five year reissuance of preliminary part–time vocational education teaching credentials as the final date to complete the requirements for a clear full–time vocational education teaching credential is August 31, 2013 as stated in subsection (d)(7).

Added information pertaining to the validity of Clear Part–Time CTE Teaching Credentials to subsection (f)(3) that will replace this deleted subsection.

(g): Proposing deletion of subsection, as renewal of clear credentials is provided in T5 §80493 and EC §44251(a)(4). Also proposing deletion of language pertaining to professional growth requirements pursuant to amendments to EC §44277(a) that removed professional growth and successful service requirements for renewal of teaching and services credentials.

Section 80035.5

Amendment to change ‘Vocational’ to ‘Career Technical’ in the title of this section.

(a): Under the provisions of SB 1104, only Commission–approved LEAs can recommend for CTE credentials. Amendments have been made to this section to delete ‘ESDs’, change ‘vocational’ to ‘career technical’ and change ‘subjects’ to ‘industry sectors’.

In addition, deleting the list of vocational education subjects and adding the 15 industry sectors available for CTE credentials pursuant to SB 52.

(b): The 15 industry sectors cover broad subject areas and are referenced in EC §44260.9. Therefore, new subjects cannot be added on a regular basis. Staff is proposing deletion of this subsection.

Documents Incorporated by Reference

Form 41–4 (rev 9/08), instructions (rev 9/08), and form 41–ECC (rev 7/08).

Documents Relied Upon in Preparing Regulations:

Report to the Legislature and the Governor on Career Technical Education (CTE): As required by SB 52 (Chap. 520, Stats. 2007).

Disclosures Regarding the Proposed Actions

The Commission has made the following initial determinations:

Mandate to local agencies or school districts: None.

Other non–discretionary costs or savings imposed upon local agencies: None.

Cost or savings to any state agency: None.

Cost or savings in federal funding to the state: None.

Significant effect on housing costs: None.

Significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states: None.

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with section 17500) of the Government Code.

Cost impacts on a representative private person or business: The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Assessment regarding the creation or elimination of jobs in California [Govt. Code §11346.3(b)]: The Commission has made an assessment that the proposed amendments to the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

Effect on small businesses: The Commission has determined that the proposed additions and amendments to the regulations do not affect small businesses. The proposed regulation additions and amendments govern the issuance of teaching credentials for service in California public schools and have no impact on private business.

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered would be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposed actions.

Contact Person/Further Information

General or substantive inquiries concerning the proposed action may be directed to Tammy A. Duggan by telephone at (916) 323-5354 or Tammy A. Duggan, Commission on Teacher Credentialing, 1900 Capitol Avenue, Sacramento, CA 95814. General question inquiries may also be directed to Janet Bankovich at (916) 323-7140 or at the address mentioned in the previous sentence. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. This information is also available on the Commission's website at www.ctc.ca.gov. In addition, all the information on which this proposal is based is available for inspection and copying.

Availability of Statement of Reasons and Text of Proposed Regulations

The entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of regulations, and the initial statement of reasons.

Modification of Proposed Action

If the Commission proposes to modify the actions hereby proposed, the modifications (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

Availability of Final Statement of Reasons

The Final Statement of Reasons is submitted to the Office of Administrative Law as part of the final rulemaking package, after the public hearing. When it is available, it will be placed on the Commission's website at www.ctc.ca.gov or you may obtain a copy by contacting Tammy A. Duggan at (916) 323-5354.

Availability of Documents on the Internet

Copies of the Notice of Proposed Action, the Initial Statement of Reasons and the text of the regulations in underline and strikeout can be accessed through the Commission's website at www.ctc.ca.gov.

TITLE 5. COMMISSION ON TEACHER CREDENTIALING

Division VIII of Title 5 of the California Code of Regulations

Proposed Amendments to 5 California Code of Regulations Pertaining to the Special Education Teaching and Services Credentials

Notice of Proposed Rulemaking

The Commission on Teacher Credentialing proposes to amend regulatory action described below after considering all comments, objections and recommendations regarding the proposed action.

Public Hearing

A public hearing on the proposed actions will be held:

August 6, 2009

9:00 a.m.

Commission on Teacher Credentialing

1900 Capitol Avenue

Sacramento, California 95811-4213

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by e-mail on the proposed action. The written comment period closes at 5:00 p.m. on August 3, 2009. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 322-0048; write to the California Commission on Teacher Credentialing, attn. Terri H. Fesperman, 1900 Capitol Avenue, Sacramento, California 95814-4213; or submit an email at tfesperman@ctc.ca.gov.

Any written comments received 18 days prior to the public hearing will be reproduced by the Commission's staff for each member of the Commission as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

Authority and Reference

Education Code Section 44225 authorizes the Commission to promulgate rules and regulations which will implement, interpret or make specific sections 44225(e), 44225(q), and 44256 of the Education Code and govern the procedures of the Commission.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Regulations

The regulations (sections 80046.5, 80047-80047.9, 80048.2-80048.4, 80048.6, 80048.8-80048.8.1, and 80048.9 through 80048.9.3) were last updated in 1997. The proposed amendments and additions to regulations will make changes to the special education teaching and services credentials while continuing to meet state and federal mandates for serving students with disabilities.

In June 2006, the Commission directed staff to begin the review and revision of the structure and requirements for the Education Specialist Teaching and Services Credentials. Later that summer the State Budget

Act included funds to carry out the review and the passage of SB 1209 (Chap. 517, Stats. 2006) authorized the Commission to study the structure and requirements for the Education Specialist Teaching and Services Credentials. The Special Education Credential Work Group was formed in December 2006 and began its deliberations in February 2007.

At the December 2007 meeting, the Commission approved the *Report to the Governor and Legislature on the Study of Special Education Certification*. The report, which was sent to the Governor and Legislature on December 21, 2007, contained 25 recommendations for modifications and improvements for Education Specialist Teaching and Services Credentials. In January 2008, the Commission approved an implementation plan that outlined the steps that would be taken to implement those 25 recommendations. Included in that plan was the establishment of a Design Team. The fourteen member Design Team was assisted by subcommittees representing specialized expertise in each of the credential areas where changes were developed.

Updating Authorizations to Current Needs and Practices in Schools

The authorizations have been revised, updated and incorporated into a structure that improves access to special education services. Authorizations in Title 5 Regulations are used by the Commission and employers to determine a legal and appropriate assignment and by the team that creates a student's Individualized Educational Program (IEP) to determine which special education service provider can provide the most appropriate service in the Least Restrictive Environment (LRE) for the student with a disability. In the preparation of an Education Specialist or Special Education Service provider, there must be a match between the authorized services, the skills, knowledge and abilities taught in the program, and the field experiences that the candidate completed in the course of the preparation.

All Education Specialist specialty area authorizations are proposed to be expanded to include Autism Spectrum Disorders (ASD). Currently, students with autism are primarily served by individuals holding the Moderate/Severe Credential, although many students with Autism may have a range of abilities and needs across the autism spectrum. Some students also have additional other special needs. By adding ASD to all special education credential authorizations, it assures that students identified with ASD will be served in all environments with educators who possess the skills to do so effectively.

The premise of the LRE has come to be seen in different ways in the last ten years since the last revision of the regulations. Additionally, there are fewer special day classes where direct specialized services are provided.

A much more common service delivery model is to provide services in the inclusive setting. Team approaches to providing services to students with disabilities have become the preferred mode of service for Student Study Teams and for the parents and educators who develop IEPs and Individualized Family Service Plans (IFSPs) for special needs students. Learning Center models that provide intensive services for students, whose LRE is the general education classroom setting, have become the pervasive service delivery mode. For these reasons, the appropriate setting, age and grade level for each authorized specialty area, and the titles of the federal disability categories have been updated.

Finally, obsolete local teaching assignment options have been deleted as they were included in regulations to meet a shortage in a specific special education teacher education program which no longer exists.

Requirements to Earn a Preliminary Teaching Credential

The Work Group and the Design Team agreed that all teachers, including special education teachers, who are assigned to teach No Child Left Behind Act (NCLB) core academic subjects should be expected to demonstrate subject matter competence in those subjects they are assigned to teach.

Changes in federal and State Board of Education requirements concerning the demonstration of subject matter competence and the "Highly Qualified" teacher designation required changes in the requirements for the preliminary Education Specialist Credential. In 2003, the Commission acted to follow the requirements of the California State Board of Education and federal regulations of the NCLB for general education teachers for the multiple and single subject credentials. For those earning a credential to teach in elementary schools, general education teachers are required to demonstrate knowledge of the subjects commonly taught in elementary schools through the appropriate Commission-approved examination. Those earning a Single Subject Credential to teach in middle and high school demonstrate subject matter competence either through examination or successful completion of a Commission-approved program. Before the action taken to be in compliance with NCLB and the 2004 Individuals with Disabilities Education Act (IDEA), Education Specialists could choose from any of the Multiple or Single Subject options available to demonstrate subject matter competence.

Under the IDEA/NCLB requirements, a middle/high school teacher needs a subject matter major, or Commission-approved subject-matter program or examination in an NCLB core academic subject if the teacher is providing instructional services in an NCLB core academic subject area. The elementary teacher

must have subject matter competence through the appropriate Commission–approved examination.

Given that special education credentials authorize service in grades K–12 or birth through 22 and subject matter competence must be demonstrated for IDEA/NCLB at the elementary or middle/high curriculum level, local employing agencies are faced with many complexities in the appropriate assignment and NCLB compliance of special education teachers. Teacher candidates, teacher preparation programs, and employers are required to sort through a complex landscape of state and federal laws as well as program and employer practices to ensure that teachers indeed meet IDEA/NCLB compliance and also hold the appropriate special education authorization to serve the students.

With the assistance from staff from the California Department of Education to ensure that the proposed regulations assist the special education candidate to meet NCLB compliance, the Commission is proposing that the subject matter knowledge requirement be limited to subject areas that align with the federal NCLB core academic subject areas (English, reading/language arts, math, science, foreign language, civics/government, economics, arts, history, geography, and elementary level). This includes passage of examination(s) appropriate for the multiple subject, or passage of the examination or appropriate subject–matter program for the single subject credential in the areas of art, English, mathematics including foundational–level mathematics, music, social science, or science including foundational–level general science and specialized science.

The regulations for the prior special education credential entitled Special Education Specialist Teaching Credential are proposed to be deleted since an individual may no longer be initially issued this document.

Requirements to Earn a Clear Teaching Credential

Currently Education Specialist candidates must complete two levels of preparation to earn a clear credential. The current Education Specialist second level requires that the candidate be employed and providing special education services. Education Specialists seeking to clear their credential must complete advanced special education coursework through an approved clear credential (Level II) program. Although not required by statute, some employers also require Education Specialists to complete a Beginning Teacher Support and Assessment (BTSA) Induction program. In some cases the BTSA Induction program is used as part (no more than one–fourth) of the Level II program. This is the case in those programs where a partnership has developed between the BTSA Induction program and the local university special education program.

The forums that were held by Commission staff as part of the review of the Education Specialist creden-

tials indicated that there were mixed perspectives about Level II programs. Some credential holders indicated that they had received good preparation that helped them be more successful in their jobs and allowed them to advance on their district’s pay scale. Others felt quite overwhelmed when they were required to complete their local BTSA Induction program in addition to the Level II credential requirements. There were also concerns that BTSA Induction was not sufficiently aligned with work as a special education teacher. Based on this mixed input, the Commission’s Work Group and Design Team explored ways to combine the strengths of both BTSA Induction and the most effective parts of the Level II special education preparation.

The proposed changes to clear an Education Specialist credential include a program that combines advanced coursework and supported induction that should be available to all preliminary credential holders. If an individual holds more than one credential, the Individualized Induction Plan (IIP) that guides the teacher’s advanced preparation should be written to clear all preliminary credentials held. Based on recommendations offered by educators who came to the Commission’s forums, the Commission’s Design Team developed a structure that draws from the BTSA Induction system, while recognizing that there are differences in the preparation and employment circumstances of a Multiple or Single Subject teacher and an Education Specialist teacher.

The rationale for the recommendation is that teachers who are supported remain in teaching significantly longer than those who are not. However, it is likely that because of the wide range of service delivery options possible, an Education Specialist credential holder may be placed in a situation where support alone may not be enough to address the knowledge and skills necessary to successfully provide the services needed by special needs students in their assignment. Therefore, advanced preparation must be an option in the Education Specialist Clear Credential program.

The beginning Education Specialist’s IIP would focus on the service delivery models of the credential holder’s current employment. In the beginning years of teaching, support programs accompanied by applied and advanced preparation will greatly assist the novice teacher to become increasingly more effective in serving the needs of students with disabilities in the range of service delivery modes they are expected to master. The use of the IIP will lead to focused, effective instruction accompanied by mentored support that will allow applied and specialized experiences for all the teaching credentials that the teacher holds. Focused, individualized, and supported clear credential preparation will lead to better prepared, more confident teachers who are

better able to deal with the complexities of special education and will increase the likelihood of Education Specialists continuing in the teaching profession. The collaboration of employers and institutions of higher education in the development of IIP for the clear credential will encourage larger numbers of individuals to pursue and continue their careers in special education. Both institutions of higher education and county offices of education/school districts may be as induction program sponsors.

In addition, as a result of the passage of SB 1209 (Chap. 517, Stats. 2006) and the deletion of Education Code sections 44270.1 and 44277, professional growth is no longer a requirement to earn a 'professional' clear credential and the Commission has returned to issuing clear credentials.

Additional Special Education Specialty Area

There is a serious issue of service delivery to students with language and communication needs who are "falling through the cracks." There are students whose academic achievement is impacted by their lack of skill development in literacy and communication areas that both their self esteem and their social interaction skills make it difficult to function in a school setting. At the special education forums conducted by the Commission, special education program directors reported that many of the students diagnosed as needing special learning disability services were communication or literacy based therefore impeding the students' access to the core curriculum.

In response to the repeated calls for a special education teaching authorization that focuses on communication, language, and literacy from numerous stakeholders at meetings held around the state, the Commission's Special Education Work Group and Design Team recommended the addition of an authorization that focuses on those communication deficiencies that impede academic achievement. The Communication Development authorization focuses on literacy, communication, language development and pragmatic skills. The curriculum focuses on school based issues and the knowledge and skills necessary for success in an academic setting and in the core curriculum. Teachers with this authorization may provide instructional services to students identified by an IEP who receive services to support communication and social interaction skill development. They may also reinforce student's communication, and language development as a co-teacher in an academic setting.

Like all other Education Specialist Teaching Credentials, the Communication Development subject area requires the individual to complete a bachelor's degree and a full special education teacher preparation program including student teaching (approximately 30 se-

mester units). The program includes coursework in academic content areas, pedagogy, assessment, and methodology classes specific to the communication development subject area.

The purpose of the Education Specialist: Communication Development is to bring together skills in literacy, language and communication to serve special needs students. Like all other Education Specialist Teaching authorizations, those holding the Communication Development authorization may be the teacher of record, conduct assessments authorized by the credential, and provide resource services as well as collaboration, consultative and co-teaching services in the inclusive setting. Speech-Language Pathologists would continue to be responsible for serving students whose disabilities have a clinical or medical disposition by providing speech 'services' while the Communication Development teacher provides instructional services in an academic setting. The assessment for speech services will continue to be completed by the credentialed Speech-Language Pathologist as they are the only authorized service deliverer authorized in the speech and language impairments category. The Communication Development holder and all holders of Education Specialist Credentials would be authorized to assess their students' access to the academic core curriculum and their progress towards meeting instructional academic goals for the specific grade level of the student.

Special Education Services Credentials

While the authority to issue special education services credentials exists in statute, the Commission is promulgating regulations to clarify the requirements and authorization for the Speech-Language Pathology, Orientation and Mobility, and Audiology Services Credentials.

Proposed Additions, Amendments, and Deletions to Regulation

§80046.5 clarifies that the credentials and added authorizations allow services to students through age 22, instructional services for students with special needs are offered in a variety of settings and are not limited only to a classroom, and assessments for early childhood and adults are added as special education credentials and authorizations allow services for birth through age 22 in the appropriate specialty area(s).

§80047 *Title and opening* lists only credentials negating the need for the word 'authorization', Title 34 sections have been updated, and instructional services for students with special needs are offered in a variety of settings and are not limited only to a classroom.

§80047(b) adds the name of the proposed new specialty area that authorizes providing instructional services to students in this category.

§80047(c) through (h) re-lettered to include change in subsections.

§80047.1 *Title and opening* lists only credentials negating the need for the word ‘authorization’, Title 34 sections have been updated, and instructional services for students with special needs are offered in a variety of settings and are not limited only to a classroom.

§80047.1(b) corrects typographical error to appropriate name of credential.

§80047.2 *Title and (a)* lists only credentials negating the need for the word ‘authorization’, Title 34 sections have been updated, Federal disability category dropped the term ‘serious’, and instructional services for students with special needs are offered in a variety of settings and are not limited only to a classroom.

§80047.2(a) (3) removes the word ‘the’ to align with rest of the list of credentials.

§80047.2(a)(4)(A) and (B) and (b) removed the word ‘serious’ as Federal disability category dropped the term.

§80047.2(c) is proposed to be sunsetted as this assignment option has been available since 1988 and was established to provide sufficient time for the Commission to develop programs in the disability area of emotional disturbance. There are a sufficient number of programs available to allow the Commission to propose a sunset date for the assignment option.

§80047.3 *Title and opening* lists only credentials negating the need for the word ‘authorization’, Title 34 sections have been updated, and instructional services for students with special needs are offered in a variety of settings and are not limited only to a classroom.

§80047.4 *Title and (a)* lists only credentials negating the need for the word ‘authorization’, Title 34 sections have been updated, and instructional services for students with special needs are offered in a variety of settings and are not limited only to a classroom.

§80047.4(a)(2) and (3) adds new credential name as EC §44265.3 was added in 2007 which changed the name of the credential. Holders of Clinical or Rehabilitative Services credentials may continue to renew their credentials.

§80047.4(a)(4) and (5) removes the word ‘the’ to align with rest of the list of credentials and sections re-numbered.

§80047.4(a)(5)(B) is proposed to be sunsetted as this assignment option has been available since 1988 and was established to provide sufficient time for the Commission to develop programs in the disability area of autism. There are a sufficient number of programs available and also a proposed autism spectrum disorders

added authorization to allow the Commission to propose a sunset date for the assignment option.

§80047.5 *Title and opening* lists only credentials negating the need for the word ‘authorization’, Title 34 sections and Federal disability category have been updated, and instructional services for students with special needs are offered in a variety of settings and are not limited only to a classroom.

§80047.5(c) adds new credential name as EC §44265.3 was added in 2007 which changed the name of the credential. Holders of Clinical or Rehabilitative Services credentials may continue to renew their credentials.

§80047.5(e) through (h) relettered.

§80047.6 *Title and opening* lists only credentials negating the need for the word ‘authorization’, Title 34 sections have been updated, and instructional services for students with special needs are offered in a variety of settings and are not limited only to a classroom.

§80047.6(b) lists appropriate name of credential.

§80047.7 *Title and opening* lists only credentials negating the need for the word ‘authorization’, Title 34 sections have been updated, and instructional services for students with special needs are offered in a variety of settings and are not limited only to a classroom.

§80047.8 *Title and opening* lists only credentials negating the need for the word ‘authorization’, Title 34 sections have been updated, and instructional services for students with special needs are offered in a variety of settings and are not limited only to a classroom.

§80047.9 *Title, (a), and (b)* lists only credentials negating the need for the word ‘authorization’, Title 34 sections have been updated, Federal disability category dropped the term ‘serious’, and instructional services for students with special needs are offered in a variety of settings and are not limited only to a classroom. (b) lists only credentials negating the need for the word ‘authorization’, Title 34 sections have been updated, and instructional services for students with special needs are offered in a variety of settings and are not limited only to a classroom.

§80048.2 is deleted as the Commission may no longer initially issue a preliminary, professional clear, or clear Specialist Instruction Credential in Special Education according to the sunset dates in (c)(2).

§80048.3(a)(2) has been revised to more clearly describe the professional preparation that must be met.

§80048.3(a)(3) updates of the basic skills requirement to align with recent changes in statute.

§80048.3(a)(4)(A) updates of the subject-matter knowledge definition to align with changes in statute and regulation.

§80048.3(a)(5) updates reading requirement to align with changes in statute.

§80048.3(a)(6) deletes reference to regulations as it is not necessary.

§80048.3(a)(7) clarifies how approved programs, other than institutions of higher education, may verify completion of the approved programs.

§80048.3(a)(8) and (9) deletes the requirement that an individual be employed to be issued a preliminary credential and instead makes the Certificate of Eligibility an option for the California-prepared teacher to request instead of it being automatically issued if the teacher is not employed. There is a statewide shortage of special education teachers which reduces the need for the Certificate of Eligibility.

§80048.3(b)(1) adds a valid period of document as found in EC §44251.

§80048.3(c) adds transition dates for approved programs to move from current to new programs. The current Level I will be phased out in the next few years and individuals seeking their initial special education will need to apply under the new preliminary and clear structure.

§80048.4 Title and (a) deletes the professional growth requirement to earn a 'professional' clear credential as a result of the passage of SB 1209 (Chap. 517, Stats. 2006) which deleted Education Code sections 44270.1 and 44277 and the Commission has returned to issuing clear credentials.

§80048.4(a)(2) updates the health education requirement as described in statute.

§80048.4(a)(3) updates of the computer education requirement as described in statute.

§80048.4(a)(5) deletes the professional growth requirement to earn a 'professional' clear credential as a result of the passage of SB 1209 (Chap. 517, Stats. 2006) which deleted Education Code sections 44270.1 and 44277 and the Commission has returned to issuing clear credentials.

§80048.4(a)(6) adds a new definition for full time experience and deletes the reference to section 80048.3(a)(8) and (9) as they are proposed to be changed.

§80048.4(c) adds the last date to finish the preliminary Level I program of 12/31/2013 and a cut off date is being established to be admitted to the Level II program. Since the Level I document is issued for five years, individuals have five years to earn the clear credential under the Level II provision.

§80048.4(d)(1) deletes the professional growth requirement to earn a 'professional' clear credential as a result of the passage of SB 1209 (Chap. 517, Stats. 2006) which deleted Education Code sections 44270.1 and 44277 and the Commission has returned to issuing clear credentials.

§80048.6 Title and (a) notes that the Commission is changing terminology from Certificate to Added Authorization.

§80048.6(a)(1) describes the services that may be provided span a variety of settings for Special Education Teaching Credentials and Added Authorizations. The terminology for these settings has been updated and specific statutes included for reference.

§80048.6(a)(2) adds terminology used for Early Childhood Education Specialist Credential and Added Authorization as found in Title 34, Section 300.8(b).

§80048.6(a)(3) adds specifics on terminology used for the deaf and hard-of-hearing credential.

§80048.6(b) expands the age and grade authorizations to include high school students who continue to need services past grade 12. Federal guidance allows services up to whatever age any state wants to continue services. In California, it is up to age 22 for those who have not completed a regular diploma. Most of these students stay on at high schools. Federal disability areas were revised to align with federal regulations.

§80048.6(b)(1) and (2) clarifies and updates the authorizations for the mild/moderate and moderate/severe credentials.

§80048.6(b)(3) describes when a hearing loss is primary or secondary, language development or language issues become a factor in stimulating the brain for the child's development of language/communication skills. Only deaf and hard-of-hearing has to deal with the fact that hearing loss makes an impact on the brain critical to language development. The hearing mechanism is pivotal to all areas of linguistic growth and development, social and emotional development and perception of self.

§80048.6(b)(3)(A) describes how the Commission established an authorization in 2004 making this option no longer necessary; individual employed prior to January 1, 2010 to teach ASL may continue to serve but no new individuals may be added after this date. Holders of deaf and hard-of-hearing credentials have been allowed to provide ASL instruction to general education students because of a lack of an authorization in ASL.

§80048.6(b)(4) and (5) clarifies and updates the authorizations for the visual impairment and physical and health impairment credentials.

§80048.6(b)(6) clarifies and updates the authorizations for the early childhood special education creden-

tials. Previous authorization listed services the individual could not provide; changes were made to clarify the services that may be provided.

§80048.6(b)(7) clarifies and updates the authorizations for the early childhood special education authorization which the Commission is changing from Certificate to Added Authorization. Previous authorization listed services the individual could not provide; changes were made to clarify the services that may be provided.

§80048.6(b)(8) adds one new authorization in the area of communication development to allow an individual to provide instructional services in content areas to students needing additional assistance in areas such as literary development, academic communication and language skills.

§80048.6(b)(9) lists the authorization individuals who complete the additional content within the Education Specialist programs in the area of autism spectrum disorders will be authorized to provide autism instructional services to students within the disability area of their credential.

§80048.6(b)(10) lists the authorization individuals who complete the additional English learner content within the Education Specialist programs will be authorized to provide English learner services.

§80048.8(a)(1) lists a Bachelor's degree as found in EC §44265.

§80048.8(a)(2) lists the program of study as found in EC §44265.

§80048.8(a)(3) updates the basic skills requirement.

§80048.8(a)(4)(A) and (B) lists the subject-matter requirement as found in EC section noted that aligns with federal No Child Left Behind core academic subject areas.

§80048.8(a)(4)(C) describes how other credential holders are exempt because they have already verified subject-matter competence under the general education credential structure.

§80048.8(a)(4)(D) describes how candidates for the Early Childhood Special Education are not required to complete subject-matter competence as the credential authorization is for birth to pre-kindergarten.

§80048.8(a)(5) lists the reading course and exam as required in EC sections noted.

§80048.8(a)(6) lists the U.S. Constitution as required in EC section noted.

§80048.8(a)(7) lists the health education requirement as noted in EC section.

§80048.8(a)(8) adds the computer technology requirement as noted in EC section.

§80048.8(a)(9) lists the requirement for study of English learner as noted in EC section.

§80048.8(a)(10) describes how a Transition Plan is prepared by the preliminary credential program to be used to develop the IIP as found in Title 5 Section 80048.4.1(a)(2) to assist the beginning teacher.

§80048.8(a)(11) describes the recommendation as required by EC section noted.

§80048.8(b) adds the five year validity as found in EC §44251.

§80048.8.1(a)(1) lists that individuals need to hold a preliminary or preliminary Level I credential to complete the requirements for the clear credential.

§80048.8.1(a)(2) describes how the use of the IIP leads to focused, effective instruction accompanied by mentored support that allows applied and specialized experiences for all teaching credentials that the teacher holds. In the beginning years of teaching, support programs accompanied by applied and advanced preparation will greatly assist the novice teacher.

§80048.8.1(a)(2)(A) describes how the IIP must be completed within time period to allow maximum time for teacher to complete clear credential requirements.

§80048.8.1(a)(2)(B) lists the cap on the number of units of coursework and professional development allows the individual to focus on completing the IIP and earning the clear credential in the five year time period.

§80048.8.1(a)(2)(C) describes how a Commission-approved induction program must assure individuals not currently teaching may meet the provisions of the IIP.

§80048.8.1(a)(2)(D) describes how an individual holding more than one preliminary teaching credential, multiple subject, single subject or education specialist needs to complete one set of clear credential requirements. The menu of professional development options must address all credentials that are being cleared.

§80048.8.1(b) describes the recommendation process by the Commission-approved clear credential program.

§80048.8.1(c) list the five year validity as found in EC §44251.

§80048.9 Title clarifies that Education Code section 44265.3 established a two-tier credential to provide speech and language services.

§80048.9(a)(1) adds the master's degree as found in EC §44265.3(a)(1).

§80048.9(a)(2)(A) and (B) adds the program as found in EC §44265.3(a)(1).

§80048.9(a)(3) adds the basic skills requirement is in alignment with EC §44252.

§80048.9(a)(4)(A) clarifies that California-prepared teachers must be recommended for the credential per EC §44265.3(a)(1).

§80048.9(a)(4)(B) clarifies the method to apply for credential if prepared outside of California.

§80048.9(a)(5) adds the issuance of a one-year non-renewable credential as found in EC §44252(b)(3).

§80048.9(b) lists the validity period as found in EC §44265.3(a)(1).

§80048.9(c) adds the requirements for the clear credential as found in EC §44265.3(a)(2).

§80048.9(d) adds the requirements for the clear credential for individuals that do not earn a preliminary as found in EC §44265.3(a)(2).

§80048.9(e) clarifies that the clear credential is issued for five years as found in EC §44251.

§80048.9(f) lists the authorization for the credential.

§80048.9.1(a)(1) and (2) adds that EC §44268 provides the authority for the Commission to issue Clinical and Rehabilitative Services Credentials and to determine such specialized and professional preparation as the Commission may require.

§80048.9.1(a)(3) add the basic skills requirement is in alignment with EC §44252.

§80048.9.1(a)(4)(A) states that California-prepared teachers must be recommended for the credential.

§80048.9.1(a)(4)(B) clarifies the method to apply for credential if prepared outside of California.

§80048.9.1(a)(5) adds the issuance of a one-year nonrenewable as found in EC §44252(b)(3).

§80048.9.1(b) adds the clear credential is issued for five years as found in EC §44251.

§80048.9.1(c) lists the authorization for the credential.

§80048.9.2(a)(1) and (2) adds that EC §44268 provides the authority for the Commission to issue Clinical and Rehabilitative Services Credentials and to determine such specialized and professional preparation as the Commission may require.

§80048.9.2(a)(3) adds the basic skills requirement is in alignment with EC §44252.

§80048.9.2(a)(4)(A) states that California-prepared teachers must be recommended for the credential.

§80048.9.2(a)(4)(B) clarifies the method to apply for credential if prepared outside of California or hold the Audiology license.

§80048.9.2(a)(5) adds the issuance of a one-year nonrenewable as found in EC §44252(b)(3).

§80048.9.2(b) clarifies the clear credential is issued for five years as found in EC §44251.

§80048.9.2(c) lists the authorization for the credential.

§80048.9.3(a)(1) describes the services that may be provided by other related special education service credential span across a variety of settings.

Documents Incorporated by Reference:

Form 41-4 (rev 9/08), instructions (rev 9/08), and form 41-ECC (rev 7/08).

Documents Relied Upon in Preparing Regulations:

Individuals with Disabilities Education Act (IDEA) Part B Regulations (34 CFR Parts 300 and 301)

Report on the Study of Special Education Certification: A Report to the Governor and Legislature as Required by SB 1209 (Chap. 517, Stats. 2006)

Disclosures Regarding the Proposed Actions

The Commission has made the following initial determinations:

Mandate to local agencies or school districts: None.

Other non-discretionary costs or savings imposed upon local agencies: None.

Cost or savings to any state agency: None.

Cost or savings in federal funding to the state: None.

Significant effect on housing costs: None.

Significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states: None.

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with Section 17500) of the Government Code.

Cost impacts on a representative private person or business: The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Assessment regarding the creation or elimination of jobs in California [Govt. Code §11346.3(b)]: The Commission has made an assessment that the proposed amendments to the regulation would not (1) create nor eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

Effect on small businesses: The Commission has determined that the proposed amendment to the regulations does not affect small businesses. The regulations are not mandatory but an option that affects school districts and county offices of education.

Consideration of Alternatives

The Commission must determine that no alternative considered will be more effective in carrying out the purpose for which the action is proposed or will be as effective and less burdensome to affected private persons or small businesses than the proposed action. These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with Section 17500) of the Government Code.

Contact Person/Further Information

General or substantive inquiries concerning the proposed action may be directed to Terri H. Fesperman by telephone at (916) 323-5777 or Terri H. Fesperman, California Commission on Teacher Credentialing, 1900 Capitol Ave, Sacramento, CA 95814. General question inquiries may also be directed to Janet Bankovich at (916) 323-7140 or at the address mentioned in the previous sentence. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. This information is also available on the Commission's web site at www.ctc.ca.gov. In addition, all the information on which this proposal is based is available for inspection and copying.

Availability of Statement of Reasons and Text of Proposed Regulation

The entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of regulations, and the initial statement of reasons.

Modification of Proposed Action

If the Commission proposes to modify the actions hereby proposed, the modifications (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

Availability of Final Statement of Reasons

The Final Statement of Reasons is submitted to the Office of Administrative Law as part of the final rulemaking package, after the public hearing. When it is available, it will be placed on the Commission's web site at www.ctc.ca.gov or you may obtain a copy by contacting Terri H. Fesperman at (916) 323-5777.

Availability of Documents on the Internet

Copies of the Notice of Proposed Action, the Initial Statement of Reasons and the text of the regulations in underline and strikeout can be accessed through the Commission's web site at www.ctc.ca.gov.

TITLE 5. EDUCATION AUDIT APPEALS PANEL

Notice of Proposed Rulemaking

Audits of K-12 Local Education Agencies Fiscal Year 2009-10

The Education Audit Appeals Panel (EAAP) proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

Public Hearing:

A public hearing regarding this proposal is not currently scheduled. Not later than 15 days prior to the close of the written comment period, any interested person, or his or her authorized representative, may make a written request for a public hearing pursuant to Government Code section 11346.8, and a public hearing will be held. Requests for a public hearing should be addressed to Carolyn Pirillo.

Written Comment Period:

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action. The written comment period closes at **5:00 p.m. on Monday, August 3, 2009**. EAAP will consider only written comments received by that time. Written comments for EAAP's consideration should be directed to:

Carolyn Pirillo, Staff Counsel
Education Audit Appeals Panel
770 L Street, Suite 1100
Sacramento, CA 95814

Fax: (916) 445-7626
e-mail: cpirillo@eaap.ca.gov

Authority and Reference:

Authority cited: Section 14502.1, Education Code.
Reference: Sections 14501, 14502.1, 14503, and 41020 of the Education Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The regulations in Title 5 of the California Code of Regulations, Division 1.5, Chapter 3, constitute the audit guide required by Education Code sections 14503 and 41020. The audit guide provides guidance, through definitions of terms and specification of procedures, to auditors in the conduct of statutorily required financial and compliance audits of local education agencies.

Effective February 20, 2009, education trailer bill Senate Bill 4 of the 2009–10 Third Extraordinary Session (SBX3 4; Chapter 12, Statutes 2009) made several changes in law, some of which impact the conduct of audits for the 2008–09 fiscal year. Significantly, for fiscal years 2008–09 through 2012–13, Education Code Section 42605 provides for flexibility, with specified exceptions, in the use of funds from 39 enumerated programs for any educational purpose (subdivisions (a), (e)); and provides that local education agencies will be deemed in compliance with the program and funding requirements associated with those programs (subdivision (d)). The bill was enacted too late for EAAP to promulgate supplementary regulations to incorporate the changes into the 2008–09 Audit Guide before March 1 as required by Education Code Section 14502.1(b). Changes that conform the sections of the audit regulations applicable to audits of 2008–09 to these statutory changes are included in this rulemaking, as well as the annual update of the guide for 2009–10 as proposed by the State Controller pursuant to Education Code Section 14502.1(a). The affected regulation sections are 19815, 19816, 19816.1, 19828.3, 19837.2, 19845.1, and 19846, and new sections 19821.5, 19825.1, 19828.4, 19837.3, 19839, and 19845.2.

Article 2, Audit Reports, prescribes report components (Section 19815), provides definitions of terms (Section 19816), and specifies which sections of the audit guide are applicable to each audit year (Section 19816.1). Amendments are proposed to require that, beginning with fiscal year 2009–10, budgetary comparison data be reported by object (Section 19815); to conform language in the report on internal control to current standards, to revise the numbers of audit procedures specified for fiscal year 2008–09 to reflect audit procedure amendments as described below, to specify the numbers of audit procedures for fiscal year 2009–10, and to modify the Schedule of Average Daily Attendance (ADA) to display any adjustments resulting from audit findings to facilitate audit resolution by state agencies (Section 19816); to modify the list of sections applicable to audits of fiscal year 2008–09, consistent with subdivisions (a) and (d) of recently enacted Education Code Section 42605, and to specify which sections are applicable to audits of fiscal year 2009–10 (Section 19816.1).

Article 3 (State Compliance Requirements: Local Education Agencies Other Than Charter Schools), Article 3.1 (State Compliance Requirements: School Districts and Charter Schools), and Article 4 (State Compliance Procedures: Charter Schools) list the particular state-funded education programs that are required to be audited and set forth procedures that direct auditors to relevant documents and reports and guide auditors in steps to determine whether an auditee was in com-

pliance with the relevant statutory and regulatory requirements during the period audited. No amendments are proposed for Article 4.

In Article 3, amendments and additions are made consistent with statutory changes enacted February 20, 2009, and to make other non-substantive changes.

- Section 19821.5, California Work Opportunity and Responsibility to Kids (CalWORKs), is added pursuant to subdivision (e)(1) of Education Code Section 42605, which excludes funding provided for instruction of CalWORKs eligible students from the flexibility provisions of that statute. The regulation provides for an audit of eligibility and expenditure provisions specified in the annual budget act.
- Section 19825.1, Community Day Schools, is added to limit the audit procedures to funding provided from continuous appropriations (for all regular ADA, and for fifth and sixth hour ADA for mandatorily expelled pupils), because the funding for other program provisions and pupils from annual budget appropriations is included in the flexibility provisions of Education Code Section 42605.
- Section 19828.3, Instructional Materials, the introductory sentence is modified to limit this section to audits of fiscal year 2008–09, and the procedures related to expenditure of monies from the Instructional Materials Realignment Fund are omitted, consistent with amended Education Code Section 60119 and new Education Code Section 42605.
- Successor Section 19828.4, Instructional Materials, will apply to audits of fiscal year 2009–10 and each fiscal year thereafter. The requirements for a public hearing and provision of sufficient textbooks and instructional materials will be required annually rather than being triggered only in years in which a revenue increase occurs (Educ. Code § 60119(d)), and a new provision related to the purchase of textbooks is added pursuant to subdivision (e)(2) of Education Code Section 42605.
- Section 19837.2, School Accountability Report Card, is limited to audits of fiscal year 2008–09.
- Successor Section 19837.3, for fiscal year 2009–10 and future years, changes the reference to the facilities evaluation form to name the form approved by the State Allocation Board, and conforms the cross references in subparagraph (c) to new Section 19828.4.
- Section 19839, Public Hearing Requirement — Receipt of Funds, is added to direct the audit of the public hearing requirements set forth in

subdivision (c)(2) of Education Code Section 42605 that are a condition of the receipt of funds from any and all of the 39 programs enumerated in subdivision (a) of that statute. Failure to conduct the public hearing, take testimony from the public, discuss, and approve or disapprove the proposed use of the funds will result in disallowance of all of the funds from these programs.

In Article 3.1, amendments and additions are made consistent with statutory changes enacted February 20, 2009, and to make other non-substantive changes.

- Section 19845.1, Class Size Reduction, is amended to modify the introductory sentence to indicate is applicability through fiscal year 2007–08.
- Successor Section 19845.2, Class Size Reduction, sets forth the revised penalty provisions for fiscal years 2008–09 through 2011–12 pursuant to subdivision (a) of Education Code Section 52124.5, enacted February 20, 2009.
- Section 19846, After School Education and Safety Program, the word “and” is corrected to “or” in subparagraph (b)(4) in compliance with Education Code Section 8483.1(a)(2)).

Disclosures Regarding the Proposed Action:

- Mandate on local agencies and school districts: None
- Cost or savings to any state agency: None
- Cost to any local agency or school district which must be reimbursed in accordance with Government Code section 17561: None
- Other non-discretionary cost or savings imposed upon local educational agencies: None
- Cost or savings in federal funding to the state: None
- Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.
- Cost impact on a representative private person or business: EAAP is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Adoption of these regulations will not:
 - (1) create or eliminate jobs within California;
 - (2) create new businesses or eliminate existing businesses within California; or
 - (3) affect the expansion of businesses currently doing business within California.

- Significant effect on housing costs: EAAP has made an initial determination that the proposed regulatory action would not affect housing costs.
- Effect on small businesses: The proposed regulations will have no effect on small businesses because they do not materially alter the requirements for LEA audits.

Consideration of Alternatives:

In accordance with Government Code Section 11346.5(a)(13), EAAP must determine that no reasonable alternative considered by EAAP or that has otherwise been identified and brought to the attention of EAAP would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

EAAP invites interested persons to present statements or arguments regarding alternatives to the proposed regulations during the written comment period.

Contact Persons:

Inquiries concerning the substance of the proposed action, requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, and other technical information upon which the rulemaking is based, and questions on the proposed administrative action may be directed to Carolyn Pirillo, Staff Counsel, at (916) 445-7745 or by e-mail: cpirillo@eaap.ca.gov. The back-up contact person for general inquiries is Cindy Chan, Executive Officer, at (916) 445-7745.

Availability of Initial Statement of Reasons and Text of Proposed Regulations:

The entire rulemaking file will be available for inspection and copying throughout the rulemaking process at EAAP’s office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. A copy may be obtained by contacting Carolyn Pirillo at the above address.

Availability of Changed or Modified Text:

Following the comment period, and a hearing, if requested, and consideration of all timely and relevant comments received, EAAP may adopt the proposed regulations substantially as described in this notice. If EAAP makes modifications that are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before EAAP adopts the regulations as revised. Requests for copies of any modified regulations should be sent to the attention of Carolyn Pirillo at the address stated above. EAAP will accept written comments on the modified regulations for 15 days after the date on which they are made available.

Availability of the Final Statement of Reasons:

Upon completion of the Final Statement of Reasons, a copy may be obtained by contacting Carolyn Pirillo at the above address, or from EAAP's website.

Availability of Documents on the Internet:

Copies of the Notice of Proposed Rulemaking, Initial Statement of Reasons, text of the regulations in underline and strikeout, any changed or modified text, and Final Statement of Reasons will be accessible, through the EAAP website: www.eaap.ca.gov.

**TITLE 12. DEPARTMENT OF
VETERANS AFFAIRS**

**CALIFORNIA CODE OF REGULATIONS
TITLE 12, MILITARY AND
VETERANS AFFAIRS
DIVISION 2, DEPARTMENT OF
VETERANS' AFFAIRS
CHAPTER 4, VETERANS' HOME
OF CALIFORNIA
SUBCHAPTER 1. ADMINISTRATION
NEW SECTION 508**

NATURE OF PROCEEDING

NOTICE IS HEREBY GIVEN that the California Department of Veterans Affairs (CDVA) is proposing to take the action described in the Informative Digest.

NO PUBLIC HEARING

No public hearing is scheduled for this rulemaking. However, any interested person, or his or her duly authorized representative, may request a public hearing no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

NOTICE IS ALSO GIVEN that any interested person, or his or her duly authorized representative, may submit written comments relevant to the proposed regulatory action to:

The California Department of Veterans Affairs
Office of the Chief Counsel
1227 O Street, Suite 306
Sacramento, California 95814
Attention: John Ruocco

Comments may also be submitted by facsimile to (916) 653-2454 or by e-mail to: john.ruocco@cdva.ca.gov. Comments must be submitted prior to 5:00 p.m. August 3, 2009.

Following the comment period, the CDVA may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written comments related to this proposal, or who provide oral testimony if a public hearing is held, or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Sections 1011, 1012, 1014, 1035, 1035.05 and 1044 of the California Military and Veterans Code authorize the CDVA to adopt this proposed regulation. The proposed regulation implements, interprets, and makes specific sections 1035 and 1035.05 of the California Military and Veterans Code.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

This rulemaking action implements, clarifies and makes specific the meaning of the term money and other personal property of any veteran in Military and Veterans Code sections 1035 and 1035.05. The purpose of the new regulation is to make explicit the class of personal property assets of a deceased member that the administrator may recover under the statutory scheme. This regulation is reasonably necessary to ensure that, independent of State budgetary constraints, the Veterans Homes maintain the ability to help enrich the lives of its members by resourcing the Morale, Welfare and Recreation Fund as the legislature intended.

There are no comparable provisions of federal law related to this proposal.

LOCAL MANDATE

This proposal does not impose a mandate on local agencies or school districts.

FISCAL IMPACT ESTIMATES

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with

section 17500) of Division 4 of the Government Code. This proposal does not impose other nondiscretionary costs or savings on local agencies. This proposal does not result in any costs or savings in federal funding to the state.

COSTS OR SAVINGS TO STATE AGENCIES

This proposal does not result in any costs or savings to state agencies.

BUSINESS IMPACT/SMALL BUSINESSES

Pursuant to section 11346.5, subdivision (a)(8) of the California Government Code, the CDVA has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposal does not affect small businesses as defined by Government Code section 11342.610. The determination that the proposal would not affect small businesses is based upon the fact that the proposal's primary purpose is to make explicit the class of personal property assets of a deceased member that the administrator may recover under the statutory scheme. Accordingly, its impact is limited to members of the Veterans Homes and their families.

ASSESSMENT REGARDING EFFECT ON JOBS/BUSINESSES

Pursuant to section 11346.3, subdivision (b), of the California Government Code, the CDVA has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

The CDVA is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON HOUSING COSTS

None.

ALTERNATIVES CONSIDERED

The CDVA must determine that no reasonable alternative it considered or that has otherwise been identi-

fied and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. The CDVA invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation during the written comment period or at a public hearing if one is held.

CONTACT PERSONS

Inquiries concerning the proposed adoption of this regulation and written comments may be directed to: Chief Counsel Robert Wilson, California Department of Veterans Affairs, 1227 O Street, Suite 306, Sacramento, CA 95814; (916) 654-7022 or Senior Staff Counsel John Ruocco, California Department of Veterans Affairs, 1227 O Street, Suite 306, Sacramento, CA 95814; (916) 653-1394.

INITIAL STATEMENT OF REASONS AND INFORMATION

The CDVA has prepared an initial statement of the reasons for the proposed action and has made available all of the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the California Department of Veterans Affairs at 1227 O Street, Suite 306, Sacramento, CA 95814. These documents may also be viewed and downloaded from the CDVA website at www.cdva.ca.gov.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All of the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the persons named above.

You may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact persons named above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the CDVA may adopt

the proposed regulation substantially as described in this notice. If the CDVA makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the CDVA adopts the regulation as revised. Please send requests for copies of any modified regulations to the attention of Chief Counsel Robert Wilson at the address indicated above. The CDVA will accept comments on the modified regulations for 15 days after the date on which they are made available.

WEBSITE ACCESS

Materials regarding this proposal can be found at <http://www.cdva.ca.gov>.

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

Title 14 of the California Code of Regulations

Emergency Notice Effective Period Extension, 2009

[Published June 19, 2009]

The Board of Forestry and Fire Protection (Board) proposes to amend and adopt the regulations of Title 14 of the California Code of Regulations (14 CCR) described below after considering all comments, objections, and recommendations regarding the proposed action.

Amend:

§1052	Emergency Notice
§1052.1	Emergency Conditions
§1052.4	Emergency Notice for Fuel Hazard Reduction

PUBLIC HEARING

The Board will hold a public hearing starting at 8:00 a.m., on Wednesday, August 5, 2009, at the Resources Building Auditorium, 1st Floor, and 1416 Ninth Street, Sacramento, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the *Informative Digest*. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. Additionally, pursuant to Government Code section 11125.1, any information presented to the Board during the open hearing in connection with a matter subject to discussion or consideration becomes part of the public

record. Such information shall be retained by the Board and shall be made available upon request.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. **The written comment period ends at 5:00 p.m., Monday, August 3, 2009.** The Board will consider only written comments received at the Board office by that time (in addition to those written comments received at the public hearing). The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attn: Christopher Zimny
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
Room 1506-14
1416 9th Street
Sacramento, CA

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653-0989

Written comments may also be delivered via e-mail at the following address:

board.public.comments@fire.ca.gov

AUTHORITY AND REFERENCE

Public Resources Code (PRC) Sections 4551, 4551.5 and 4554.5 authorize the Board to adopt such rules and regulations as it determines are reasonably necessary to enable it to implement, interpret or make specific sections 4512, 4513 and 4561 of the Public Resources Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The California Forest Practice Rules (FPRs) contain regulations to permit expedited emergency timber har-

vesting under conditions that are generally deleterious to forest resources. The emergency conditions include tree mortality due to insects, disease, parasites, animals, hydraulic and geologic changes, and weather effects. The regulations authorized under PRC 4592 specify a permitting system termed "Emergency Notice" to facilitate the expedited harvesting. The proposed regulatory action proposal is intended to lengthen the effective period of an Emergency Notice such that preparation and approval of a succeeding Timber Harvesting Plan may be assured prior to expiration of an Emergency Notice. The current effective period of an Emergency Notice is 120 days and the proposed regulation lengthens the effective period to one year, thereby providing substantially more time for preparation and approval of a succeeding Timber Harvesting Plan.

SPECIFIC PURPOSE OF THE REGULATION

Amendments to 14 CCR §§ 1052, 1052.1 and 1052.4 are modified to extend the effective duration of the emergency notice from 120 days to one year.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has determined the proposed action will have the following effects:

- Mandate on local agencies and school districts: None are known.
- Costs or savings to any State agency: None are known.
- Cost to any local agency or school district which must be reimbursed in accordance with the applicable Government Code (GC) sections commencing with GC Section 17500: None are known.
- Other non-discretionary cost or savings imposed upon local agencies: None are known.
- Cost or savings in federal funding to the State: None are known.
- Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None are known.
- Potential cost impact on private persons or directly affected businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Effect on small business: None. The Board has determined that the proposed amendments will not affect small business because the proposed

regulation imposed no new requirements on small business.

- Significant effect on housing costs: None are known.
- Adoption of these regulations will not create or eliminate jobs within California.
- Adoption of these regulations will not: (1) create new businesses or eliminate existing businesses within California; or (2) affect the expansion of businesses currently doing business within California.

The proposed Rules do not conflict with, or duplicate Federal regulations.

BUSINESS REPORTING REQUIREMENT

The regulation does not require a report, which shall apply to businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the Board must determine that no reasonable alternative it considers or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the *Initial Statement of Reasons*, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
Attn: Christopher Zimny
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460
Telephone: (916) 653-9418

The designated backup person in the event Mr. Zimny is not available is Doug Wickizer, California Department of Forestry and Fire Protection, at the above address and phone (916) 653-5602.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Board has prepared an *Initial Statement of Reasons* providing an explanation of the purpose, background, and justification for the proposed regulations.

The statement is available from the contact person on request.

When the *Final Statement of Reasons* has been prepared, the statement will be available from the contact person on request.

A copy of the express terms of the proposed action, using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKE-THROUGH~~ to indicate a deletion, is also available from the contact person named in this notice.

The Board will have the entire rulemaking file, including all information considered as a basis for this proposed regulation, available for public inspection and copying throughout the rulemaking process at its office at the above address. All of the above referenced information is also available on the CDF web site at:

http://www.fire.ca.gov/BOF/board/board_proposed_rule_packages.html

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text—with the changes clearly indicated—available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who:

- a) testified at the hearings,
- b) submitted comments during the public comment period, including written and oral comments received at the public hearing, or
- c) requested notification of the availability of such changes from the Board of Forestry and Fire Protection.

Requests for copies of the modified text of the regulations may be directed to the contact person listed in this notice. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

TITLE 14. FISH AND GAME COMMISSION

Notice of Proposed Changes in Regulations

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 2070 and 2075.5 of the Fish

and Game Code and to implement, interpret or make specific sections 1755, 2055, 2062, 2067, 2070, 2072.7, 2075.5, and 2077, of said Code, proposes to amend Section 670.5, Title 14, California Code of Regulations, relating to Animals of California Declared to Be Endangered or Threatened.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Department of Fish and Game recommends that the Commission amend Subsection (a)(5) of Section 670.5 of Title 14, CCR, to delete the American peregrine falcon (*Falco peregrinus anatum*) from the list of endangered birds.

In making the recommendation to delist the American peregrine falcon pursuant to CESA, the Department relied most heavily on the following information: 1) Current American peregrine falcon breeding range in California includes most of the known historic breeding range; 2) American peregrine falcon breeding population size has increased dramatically following State and federal listing as endangered and may have reached or even exceeded historical levels within California, as best as can be determined given the uncertainty of the historic population data; 3) The threat posed to the peregrine falcon nesting populations in California by organochlorine pesticide contamination has lessened due to the restrictions imposed on the use of such substances in the United States and Canada since the 1970s. However, “hot spots” remain in the State; these areas need further evaluation and monitoring as to their impact on peregrine recovery; 4) Recovery goals specific to California populations of peregrine falcons as established through the federal recovery plan for the Pacific States have been met for range and population size; productivity goals have been met at most, but not all, sites in California; 5) The U.S. Fish and Wildlife Service (Service) delisted the peregrine falcon from the federal endangered species list in 1999 and established a monitoring program, contingent on funding, to document breeding status of this species through the year 2015. A sub-set of 30 nest sites will be monitored in California every three years, providing current occupancy and productivity data for the State’s peregrine population; 6) The captive breeding and reintroduction program established in the 1970s and continued through 1992 was highly successful in aiding the recovery of the peregrine in California; and 7) If delisted, the American peregrine falcon will remain a fully protected species under Fish and Game Code section 3511(b)(1).

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Yolo Flyers Club Ballroom, 17980 County Road 94B, Wood-

land, California, on Thursday, August 6, 2009, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before July 30, 2009 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on August 4, 2009. All comments must be received no later than August 6, 2009 at the hearing in Woodland, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Sheri Tiemann at the preceding address or phone number. **Dr. Eric Loft, Wildlife Branch, Department of Fish and Game, phone (916) 445-3555, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Although the statutes of the California Endangered Species Act (CESA) do not specifically prohibit the consideration of economic impact in determining if listing is warranted, the Office of the Attorney General has consistently advised the Commission that it should not consider economic impact in making a finding on listing. This is founded in the concept that CESA was drafted in the image of the federal Endangered Species Act. The federal act specifically prohibits consideration of economic impact during the listing or delisting process.

CESA is basically a two-stage process. During the first stage, the Commission must make a finding on whether or not the petitioned action is warranted. By statute, once the Commission has made a finding that the petitioned action is warranted, it must initiate a rulemaking process to make a corresponding regulatory change. To accomplish this second stage, the Commission follows the statutes of the Administrative Procedure Act (APA).

The provisions of the APA, specifically sections 11346.3 and 11346.5 of the Government Code, require an analysis of the economic impact of the proposed regulatory action.

While Section 11346.3 requires an analysis of economic impact on businesses and private persons, it also contains a subdivision (a) which provides that agencies shall satisfy economic assessment requirements only to the extent that the requirements do not conflict with other state laws. In this regard, the provisions of CESA leading to a finding are in apparent conflict with Section 11346.3, which is activated by the rulemaking component of CESA.

Since the finding portion of CESA is silent to consideration of economic impact, it is possible that subdivision (a) of Section 11346.3 does not exclude the requirement for economic impact analysis. While the Commission does not believe this is the case, an abbreviated analysis of the likely economic impact of the proposed regulation change on businesses and private individuals is provided. The intent of this analysis is to provide disclosure, the basic premise of the APA process. The Commission believes that this analysis fully meets the intent and language of both statutory programs.

Delisting of the American peregrine falcon will remove the species from the provisions of CESA. However, this delisting action is not expected to result in any significant adverse economic effect on small business or significant cost to private persons or entities undertaking activities subject to CEQA because the American peregrine falcon will remain protected under additional provisions as described elsewhere in this document.

- (b) Impact on the Creation or Elimination of Jobs within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on a Representative Private Person or Business:
The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. Delisting the American peregrine falcon will not result in any significant cost to private persons or businesses undertaking activities subject to CEQA and may result in a cost savings to such persons and businesses.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

TITLE 14. FISH AND GAME COMMISSION

Notice of Proposed Changes in Regulations

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 1006, 1050, 2118, 2120, 2301, 6400, 6401, 7701, 7708, 8040, 15004, 15005, 15102, 15200, 15202, 15400, 15600, and 15601 of the Fish and Game Code and to implement, interpret or make specific sections 17, 1006, 1050, 2116, 2116.5, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2125, 2127, 2150, 2150.1, 2150.2, 2150.4, 2150.5, 2151, 2152, 2153, 2155, 2156, 2185, 2186, 2187, 2189, 2190, 2192, 2193, 2270, 2270.5, 2271, 2272, 2301, 2348, 3201, 3202, 3203, 3204, 6400, 6401, 7700, 7701, 7702, 7702.1, 7703, 7704, 7705, 7706, 7707, 7708, 8040, 8371, 8431, 8435, 8436, 15004, 15005, 15200, 15202, 15400, 15401, 15402, 15403, 15404, 15405, 15406, 15406.5, 15406.7, 15407, 15408, 15409, 15410, 15411, 15412, 15413, 15414, 15415, and 15505 of said Code, proposes to add Section 235.3 and amend sections 236, 238, and 240, Title 14, California Code of Regulations, relating to Marking and Inspections of Live Fish Transportation Vehicles and Inspections of Aquaculture Facilities.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Importation, intrastate transportation, and stocking of live aquatic plants and animals have the potential to impact California's wildlife resources and the State's aquaculture industry. Laws and regulations have been enacted to help ensure against the importation and/or spread of aquatic nuisance species and fish diseases that might damage State wildlife and industry resources. Importation, transportation, and stocking require Department of Fish and Game authorization and documentation to ensure that those activities will not cause damage. The current regulatory structure does not, however, require that transporting vehicles be marked to identify them as containing live fish nor does it provide specific methods to carry out inspection authorization found within the Fish and Game Code relating to aquaculture.

The proposed regulatory action would amend existing regulations governing importation and transportation to require that vehicles transporting live aquatic plants and animals be clearly marked with signs reading "LIVE FISH." Those same regulations would be clarified by specifically addressing the inspection of ve-

hicles and businesses which may contain live aquatic plants and animals, including invasive species such as quagga mussels. The proposed amendment would exempt common carriers, seafood dealers, and the pet trade when their load is not primarily live fish. Requiring all such vehicles to be marked would be unreasonable and would create a counterproductive distraction for Department peace officers. The proposed amendment will better enable the Department to ensure compliance with existing law.

Better compliance will help ensure against damage to state wildlife and industry resources. More effective enforcement may also reduce the competitive advantage enjoyed by some illegal operators dealing with products desired in the marketplace but not allowed because of their potential resource impacts.

Proposed Regulatory Changes

For public notice purposes to facilitate Commission discussion, the Department is proposing the following changes to current regulations:

Section 235.3 will be added for the inspection of aquaculture facilities and permitted businesses as follows:

- 1) This will allow the Department to enter any businesses permitted or licensed pursuant to the FGC or CCR for purposes of inspecting aquatic plants and animals, water, structures, documentation, and holding equipment.

Section 236 will be revised to require vehicles transporting live aquatic plants and animals to be clearly marked and make inspection related changes. The following list contains the proposed changes:

- 1) Add subsection 236(c)(2) to require a vehicle transporting live aquatic plants or animals and used for the production or sale of live aquatic plants or animals must be labeled on each side and at the rear with the words "LIVE FISH" in legible letters at least six inches in height, one-half inch in thickness, and in plain view. A vehicle registered to a common carrier, seafood business, or pet trade business is not required to be labeled with the words "LIVE FISH" if the load is not predominantly live aquatic plants or animals.
- 2) Revise subsection 236(c)(5) to clarify that the Department's inspection authority includes stopping, for purposes of inspection, shipments in or on vehicles labeled "LIVE FISH" as well as inspection of accompanying documentation.
- 3) Add subsections 236(c)(10) and (11) to list the information for denial and revocation for regulatory alignment and improve clarity.

- 4) Revise subsection 236(c)(7) to remove red swamp crayfish from the list of animals approved for long-term permits to require Department review of each shipment of this potentially invasive species.
- 5) Additional minor changes are proposed to align and clarify the regulations and reduce public confusion.

Section 238 will be revised to require vehicles transporting aquaculture products to be clearly marked and make inspection related changes. The following list contains the proposed changes:

- 1) Revise subsection 238(a) to require any person involved in possession, transportation or sale of aquaculture products to exhibit the aquaculture products, sales invoice, waybill or other applicable accompanying documentation or equipment upon demand of a department official. This inspection authority includes inspection of aquaculture products, vehicles, containers, or equipment in which the aquaculture products are contained, transported or transferred.
- 2) Add subsection 238(b)(3) to require a vehicle transporting live aquatic plants or animals and used for the production or sale of live aquatic plants or animals must be labeled on each side and at the rear with the words "Live Fish" in legible letters at least six inches in height and in plain view. A vehicle registered to a common carrier, seafood business, or pet trade business is not required to be labeled with the words "LIVE FISH" if the load is not predominantly live aquatic plants or animals. The department may inspect shipments of aquatic plants or animals contained in vehicles required to be labeled with the words "LIVE FISH".
- 3) Revise subsection 238(c)(4) to require the sales receipt and aquaculture products shall be immediately made available for inspection upon demand of a department employee.
- 4) Strike subsection 238(e)(1)(A) reference to abalone size limits pursuant to FGC Section 8304 since this section was repealed.
- 5) Additional minor changes are proposed to align and clarify the regulations and reduce public confusion.

Section 240 will be revised to require vehicles transporting aquaculture products to be clearly marked and make inspection related changes. The following list contains the proposed changes:

- 1) Revise subsection 240(a) to require any person involved in possession, transportation or sale of aquaculture products to exhibit the aquaculture products, sales invoice, waybill or other applicable accompanying documentation or equipment upon demand of a department official. This inspection authority includes inspection of aquaculture products, vehicles, containers, or equipment in which the aquaculture products are contained, transported or transferred.
- 2) Revise subsection 240(b) to require a vehicle transporting live aquatic plants or animals and used for the production or sale of live aquatic plants or animals must be labeled on each side and at the rear with the words "LIVE FISH" in legible letters at least six inches in height, one-half inch in thickness, and in plain view. A vehicle registered to a common carrier, seafood business, or pet trade business is not required to be labeled with the words "LIVE FISH" if the load is not predominantly live aquatic plants or animals. The department may inspect shipments of aquatic plants or animals contained in vehicles required to be labeled with the words "LIVE FISH".
- 3) Additional minor changes are proposed to align and clarify the regulations and reduce public confusion.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Yolo Fliers Club, Ballroom, 17980 County Road 94B, Woodland, California, on Thursday, June 25, 2009, at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Yolo Fliers Club, Ballroom, 17980 County Road 94B, Woodland, California, on Thursday, August 6, 2009, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before July 30, 2009 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on August 4, 2009. All comments must be received no later than August 6, 2009, at the hearing in Woodland, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency

representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Anita Biedermann at the preceding address or phone number. **Mr. Neil Manji, Chief, Fisheries Branch, Department of Fish and Game, phone (916) 327-8840, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action will not have a significant statewide adverse economic impact directly affecting legal business or businesses that are free of diseases and invasive species such as quagga mussels. Inspection authority impacts those businesses operating in violation of laws and regulations or businesses that may contribute to the spread of invasive species, while at the same time enhancing the ability of businesses that are in compliance to compete for market share. Appropriate inspection measures may help in the fight against invasive species such as quagga mussels. The spread of invasive species can have a

serious economic and environmental impact within California.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on a Representative Private Person or Business:
The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.
- (h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND GAME

**Department of Fish and Game —
Public Interest Notice**

For Publication June 19, 2009
CESA CONSISTENCY DETERMINATION
REQUEST FOR
Sonoma Creek Bank Stabilization Project
Sonoma County
2080–2009–006–03

The Department of Fish and Game (Department) received a notice on June 3rd, 2009, that property owner Mr. Douglas Wilson proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect species protected by the California Endangered Species Act (CESA). This project consists of stabilization and restoration of 0.43 acre along an eroding bank of Sonoma Creek, a tributary to San Pablo Bay (Project). The project will have adverse temporary impacts to 0.0005 acre of habitat of the California freshwater shrimp (*Syncaris pacifica*), and could also have adverse effects on California freshwater shrimp through mortality, injury, harassment, and harm of individuals.

The U.S. Fish and Wildlife Service (Service) issued a “no jeopardy” federal biological opinion (81420–2008–F–1545–1)(BO) and incidental take statement (ITS) to the U.S. Army Corps of Engineers (Corps) on May 29, 2009, which considered the effects of the Project on the Federally endangered and State endangered California freshwater shrimp.

Pursuant to California Fish and Game Code Section 2080.1, Mr. Wilson is requesting a determination that the BO and ITS are consistent with CESA for purposes of the proposed Project. If the Department determines the BO and ITS are consistent with CESA for the proposed Project, Mr. Wilson will not be required to obtain an incidental take permit under Fish and Game Code section 2081 for the Project.

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT
SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986

CHEMICALS KNOWN TO THE
STATE TO CAUSE CANCER OR
REPRODUCTIVE TOXICITY
JUNE 19, 2009

The Safe Drinking Water and Toxic Enforcement Act
of 1986 requires that the Governor revise and republish

at least once per year the list of chemicals known to the State to cause cancer or reproductive toxicity. The identification number indicated in the following list is the Chemical Abstracts Service (CAS) Registry Number. No CAS number is given when several substances are presented as a single listing. The date refers to the initial appearance of the chemical on the list. For easy reference, chemicals which are shown underlined are newly added. Chemicals which are shown with a strikeout were placed on the list with the date noted, and have subsequently been removed.

CHEMICALS KNOWN TO THE STATE TO CAUSE CANCER

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
A-alpha-C (2-Amino-9H-pyrido[2,3-b]indole)	26148-68-5	January 1, 1990
Acetaldehyde	75-07-0	April 1, 1988
Acetamide	60-35-5	January 1, 1990
Acetochlor	34256-82-1	January 1, 1989
2-Acetylaminofluorene	53-96-3	July 1, 1987
Acifluorfen sodium	62476-59-9	January 1, 1990
Acrylamide	79-06-1	January 1, 1990
Acrylonitrile	107-13-1	July 1, 1987
Actinomycin D	50-76-0	October 1, 1989
AF-2;[2-(2-furyl)-3-(5-nitro-2-furyl)]acrylamide	3688-53-7	July 1, 1987
Aflatoxins	—	January 1, 1988
Alachlor	15972-60-8	January 1, 1989
Alcoholic beverages, when associated with alcohol abuse	—	July 1, 1988
Aldrin	309-00-2	July 1, 1988
<u>Allylchloride Delisted October 29, 1999</u>	107-05-1	January 1, 1990
2-Aminoanthraquinone	117-79-3	October 1, 1989
p-Aminoazobenzene	60-09-3	January 1, 1990
ortho-Aminoazotoluene	97-56-3	July 1, 1987
4-Aminobiphenyl (4-aminodiphenyl)	92-67-1	February 27, 1987
1-Amino-2,4-dibromoanthraquinone	81-49-2	August 26, 1997
3-Amino-9-ethylcarbazole hydrochloride	6109-97-3	July 1, 1989
2-Aminofluorene	153-78-6	January 29, 1999
1-Amino-2-methylantraquinone	82-28-0	October 1, 1989
2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole	712-68-5	July 1, 1987
4-Amino-2-nitrophenol	119-34-6	January 29, 1999
Amitrole	61-82-5	July 1, 1987
Analgesic mixtures containing phenacetin	—	February 27, 1987
Aniline	62-53-3	January 1, 1990
Aniline hydrochloride	142-04-1	May 15, 1998
ortho-Anisidine	90-04-0	July 1, 1987
ortho-Anisidine hydrochloride	134-29-2	July 1, 1987

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Antimony oxide (Antimony trioxide)	1309-64-4	October 1, 1990
Anthraquinone	84-65-1	September 28, 2007
Aramite	140-57-8	July 1, 1987
Areca nut	—	February 3, 2006
Aristolochic acids	—	July 9, 2004
Arsenic (inorganic arsenic compounds)	—	February 27, 1987
Asbestos	1332-21-4	February 27, 1987
Auramine	492-80-8	July 1, 1987
Azacitidine	320-67-2	January 1, 1992
Azaserine	115-02-6	July 1, 1987
Azathioprine	446-86-6	February 27, 1987
Azobenzene	103-33-3	January 1, 1990
Benthiavalicarb-isopropyl	177406-68-7	July 1, 2008
Benz[a]anthracene	56-55-3	July 1, 1987
Benzene	71-43-2	February 27, 1987
Benzidine [and its salts]	92-87-5	February 27, 1987
Benzidine-based dyes	—	October 1, 1992
Benzo[b]fluoranthene	205-99-2	July 1, 1987
Benzo[j]fluoranthene	205-82-3	July 1, 1987
Benzo[k]fluoranthene	207-08-9	July 1, 1987
Benzofuran	271-89-6	October 1, 1990
Benzo[a]pyrene	50-32-8	July 1, 1987
Benzotrichloride	98-07-7	July 1, 1987
Benzyl chloride	100-44-7	January 1, 1990
Benzyl violet 4B	1694-09-3	July 1, 1987
Beryllium and beryllium compounds	—	October 1, 1987
Betel quid with tobacco	—	January 1, 1990
Betel quid without tobacco	—	February 3, 2006
2,2-Bis(bromomethyl)-1,3-propanediol	3296-90-0	May 1, 1996
Bis(2-chloroethyl)ether	111-44-4	April 1, 1988
N,N-Bis(2-chloroethyl)-2-naphthylamine (Chlornapazine)	494-03-1	February 27, 1987
Bischloroethyl nitrosourea (BCNU) (Carmustine)	154-93-8	July 1, 1987
Bis(chloromethyl)ether	542-88-1	February 27, 1987
Bis(2-chloro-1-methylethyl) ether, technical grade	—	October 29, 1999
Bitumens, extracts of steam-refined and air refined	—	January 1, 1990
Bracken fern	—	January 1, 1990
Bromate	15541-45-4	May 31, 2002
Bromodichloromethane	75-27-4	January 1, 1990
Bromoethane	74-96-4	December 22, 2000
Bromoform	75-25-2	April 1, 1991
1,3-Butadiene	106-99-0	April 1, 1988
1,4-Butanediol dimethanesulfonate (Busulfan)	55-98-1	February 27, 1987
Butylated hydroxyanisole	25013-16-5	January 1, 1990
beta-Butyrolactone	3068-88-0	July 1, 1987
Cacodylic acid	75-60-5	May 1, 1996
Cadmium and cadmium compounds	—	October 1, 1987
Caffeic acid	331-39-5	October 1, 1994
Captafol	2425-06-1	October 1, 1988
Captan	133-06-2	January 1, 1990
Carbazole	86-74-8	May 1, 1996
Carbon black (airborne, unbound particles of respirable size)	1333-86-4	February 21, 2003
Carbon tetrachloride	56-23-5	October 1, 1987
Carbon-black extracts	—	January 1, 1990

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
N-Carboxymethyl-N-nitrosourea	60391-92-6	January 25, 2002
Catechol	120-80-9	July 15, 2003
Ceramic fibers (airborne particles of respirable size)	—	July 1, 1990
Certain combined chemotherapy for lymphomas	—	February 27, 1987
Chlorambucil	305-03-3	February 27, 1987
Chloramphenicol	56-75-7	October 1, 1989
Chlordane	57-74-9	July 1, 1988
Chlordecone (Kepone)	143-50-0	January 1, 1988
Chlordimeform	6164-98-3	January 1, 1989
Chlorendic acid	115-28-6	July 1, 1989
Chlorinated paraffins (Average chain length, C12; approximately 60 percent chlorine by weight)	108171-26-2	July 1, 1989
p-Chloroaniline	106-47-8	October 1, 1994
p-Chloroaniline hydrochloride	20265-96-7	May 15, 1998
Chlorodibromomethane <u>Delisted October 29, 1999</u>	124-48-1	January 1, 1990
Chloroethane (Ethyl chloride)	75-00-3	July 1, 1990
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU)	13010-47-4	January 1, 1988
(Lomustine)		
1-(2-Chloroethyl)-3-(4-methylcyclohexyl)-1-nitrosourea (Methyl-CCNU)	13909-09-6	October 1, 1988
Chloroform	67-66-3	October 1, 1987
Chloromethyl methyl ether (technical grade)	107-30-2	February 27, 1987
3-Chloro-2-methylpropene	563-47-3	July 1, 1989
1-Chloro-4-nitrobenzene	100-00-5	October 29, 1999
4-Chloro-ortho-phenylenediamine	95-83-0	January 1, 1988
p-Chloro-o-toluidine	95-69-2	January 1, 1990
p-Chloro-o-toluidine, strong acid salts of	—	May 15, 1998
5-Chloro-o-toluidine and its strong acid salts	—	October 24, 1997
Chloroprene	126-99-8	June 2, 2000
Chlorothalonil	1897-45-6	January 1, 1989
Chlorotrianisene	569-57-3	September 1, 1996
Chlorozotocin	54749-90-5	January 1, 1992
Chromium (hexavalent compounds)	—	February 27, 1987
Chrysene	218-01-9	January 1, 1990
C.I. Acid Red 114	6459-94-5	July 1, 1992
C.I. Basic Red 9 monohydrochloride	569-61-9	July 1, 1989
C.I. Direct Blue 15	2429-74-5	August 26, 1997
C.I. Direct Blue 218	28407-37-6	August 26, 1997
C.I. Solvent Yellow 14	842-07-9	May 15, 1998
Ciclosporin (Cyclosporin A; Cyclosporine)	59865-13-3	January 1, 1992
	79217-60-0	
Cidofovir	113852-37-2	January 29, 1999
Cinnamyl anthranilate	87-29-6	July 1, 1989
Cisplatin	15663-27-1	October 1, 1988
Citrus Red No. 2	6358-53-8	October 1, 1989
Clofibrate	637-07-0	September 1, 1996
Cobalt metal powder	7440-48-4	July 1, 1992
Cobalt [II] oxide	1307-96-6	July 1, 1992
Cobalt sulfate	10124-43-3	May 20, 2005
Cobalt sulfate heptahydrate	10026-24-1	June 2, 2000
Coke oven emissions	—	February 27, 1987
Conjugated estrogens	—	February 27, 1987
Creosotes	—	October 1, 1988

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
para-Cresidine	120-71-8	January 1, 1988
Cupferron	135-20-6	January 1, 1988
Cycasin	14901-08-7	January 1, 1988
Cyclophosphamide (anhydrous)	50-18-0	February 27, 1987
Cyclophosphamide (hydrated)	6055-19-2	February 27, 1987
Cytembena	21739-91-3	May 15, 1998
D&C Orange No. 17	3468-63-1	July 1, 1990
D&C Red No. 8	2092-56-0	October 1, 1990
D&C Red No. 9	5160-02-1	July 1, 1990
D&C Red No. 19	81-88-9	July 1, 1990
Dacarbazine	4342-03-4	January 1, 1988
Daminozide	1596-84-5	January 1, 1990
Dantron (Chrysazin; 1,8-Dihydroxyanthraquinone)	117-10-2	January 1, 1992
Daunomycin	20830-81-3	January 1, 1988
DDD (Dichlorodiphenyldichloroethane)	72-54-8	January 1, 1989
DDE (Dichlorodiphenyldichloroethylene)	72-55-9	January 1, 1989
DDT (Dichlorodiphenyltrichloroethane)	50-29-3	October 1, 1987
DDVP (Dichlorvos)	62-73-7	January 1, 1989
N,N' -Diacetylbenzidine	613-35-4	October 1, 1989
2,4-Diaminoanisole	615-05-4	October 1, 1990
2,4-Diaminoanisole sulfate	39156-41-7	January 1, 1988
4,4' -Diaminodiphenyl ether (4,4' -Oxydianiline)	101-80-4	January 1, 1988
2,4-Diaminotoluene	95-80-7	January 1, 1988
Diaminotoluene (mixed)	—	January 1, 1990
Diazoaminobenzene	136-35-6	May 20, 2005
Dibenz[a,h]acridine	226-36-8	January 1, 1988
Dibenz[a,j]acridine	224-42-0	January 1, 1988
Dibenz[a,h]anthracene	53-70-3	January 1, 1988
7H-Dibenzo[c,g]carbazole	194-59-2	January 1, 1988
Dibenzo[a,e]pyrene	192-65-4	January 1, 1988
Dibenzo[a,h]pyrene	189-64-0	January 1, 1988
Dibenzo[a,i]pyrene	189-55-9	January 1, 1988
Dibenzo[a,l]pyrene	191-30-0	January 1, 1988
Dibromoacetic acid	631-64-1	June 17, 2008
1,2-Dibromo-3-chloropropane (DBCP)	96-12-8	July 1, 1987
2,3-Dibromo-1-propanol	96-13-9	October 1, 1994
Dichloroacetic acid	79-43-6	May 1, 1996
p-Dichlorobenzene	106-46-7	January 1, 1989
3,3' -Dichlorobenzidine	91-94-1	October 1, 1987
3,3' -Dichlorobenzidine dihydrochloride	612-83-9	May 15, 1998
1,4-Dichloro-2-butene	764-41-0	January 1, 1990
3,3' -Dichloro-4,4' -diaminodiphenyl ether	28434-86-8	January 1, 1988
1,1-Dichloroethane	75-34-3	January 1, 1990
Dichloromethane (Methylene chloride)	75-09-2	April 1, 1988
1,2-Dichloropropane	78-87-5	January 1, 1990
1,3-Dichloropropene	542-75-6	January 1, 1989
Dieldrin	60-57-1	July 1, 1988
Dienestrol	84-17-3	January 1, 1990
Diepoxybutane	1464-53-5	January 1, 1988
Diesel engine exhaust	—	October 1, 1990
Di(2-ethylhexyl)phthalate	117-81-7	January 1, 1988
1,2-Diethylhydrazine	1615-80-1	January 1, 1988
Diethyl sulfate	64-67-5	January 1, 1988

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Diethylstilbestrol (DES)	56-53-1	February 27, 1987
Diglycidyl resorcinol ether (DGRE)	101-90-6	July 1, 1989
Dihydrosafrole	94-58-6	January 1, 1988
Diisopropyl sulfate	2973-10-6	April 1, 1993
3,3'-Dimethoxybenzidine (ortho-Dianisidine)	119-90-4	January 1, 1988
3,3'-Dimethoxybenzidine dihydrochloride (ortho-Dianisidine dihydrochloride)	20325-40-0	October 1, 1990
3,3'-Dimethoxybenzidine-based dyes metabolized to 3,3'-dimethoxybenzidine	—	June 11, 2004
3,3'-Dimethylbenzidine-based dyes metabolized to 3,3'-dimethylbenzidine	—	June 11, 2004
Dimethyl sulfate	77-78-1	January 1, 1988
4-Dimethylaminoazobenzene	60-11-7	January 1, 1988
trans-2-[(Dimethylamino)methylimino]-5-[2-(5-nitro-2-furyl)vinyl]-1,3,4-oxadiazole	55738-54-0	January 1, 1988
7,12-Dimethylbenz(a)anthracene	57-97-6	January 1, 1990
3,3'-Dimethylbenzidine (ortho-Tolidine)	119-93-7	January 1, 1988
3,3'-Dimethylbenzidine dihydrochloride	612-82-8	April 1, 1992
Dimethylcarbamoyl chloride	79-44-7	January 1, 1988
1,1-Dimethylhydrazine (UDMH)	57-14-7	October 1, 1989
1,2-Dimethylhydrazine	540-73-8	January 1, 1988
Dimethylvinylchloride	513-37-1	July 1, 1989
3,7-Dinitrofluoranthene	105735-71-5	August 26, 1997
3,9-Dinitrofluoranthene	22506-53-2	August 26, 1997
1,6-Dinitropyrene	42397-64-8	October 1, 1990
1,8-Dinitropyrene	42397-65-9	October 1, 1990
Dinitrotoluene mixture, 2,4-/2,6-	—	May 1, 1996
2,4-Dinitrotoluene	121-14-2	July 1, 1988
2,6-Dinitrotoluene	606-20-2	July 1, 1995
Di-n-propyl isocinchomeronate (MGK Repellent 326)	136-45-8	May 1, 1996
1,4-Dioxane	123-91-1	January 1, 1988
Diphenylhydantoin (Phenytoin)	57-41-0	January 1, 1988
Diphenylhydantoin (Phenytoin), sodium salt	630-93-3	January 1, 1988
Direct Black 38 (technical grade)	1937-37-7	January 1, 1988
Direct Blue 6 (technical grade)	2602-46-2	January 1, 1988
Direct Brown 95 (technical grade)	16071-86-6	October 1, 1988
Disperse Blue 1	2475-45-8	October 1, 1990
Diuron	330-54-1	May 31, 2002
Doxorubicin hydrochloride (Adriamycin)	25316-40-9	July 1, 1987
Epichlorohydrin	106-89-8	October 1, 1987
Erionite	12510-42-8/ 66733-21-9	October 1, 1988
Estradiol 17B	50-28-2	January 1, 1988
Estragole	140-67-0	October 29, 1999
Estrogens, steroidal	—	August 19, 2005
Estrone	53-16-7	January 1, 1988
Estropipate	7280-37-7	August 26, 1997
Ethinylestradiol	57-63-6	January 1, 1988
Ethoprop	13194-48-4	February 27, 2001
Ethyl acrylate	140-88-5	July 1, 1989
Ethylbenzene	100-41-4	June 11, 2004
Ethyl methanesulfonate	62-50-0	January 1, 1988
Ethyl-4,4'-dichlorobenzilate	510-15-6	January 1, 1990

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Ethylene dibromide	106-93-4	July 1, 1987
Ethylene dichloride (1,2-Dichloroethane)	107-06-2	October 1, 1987
Ethylene oxide	75-21-8	July 1, 1987
Ethylene thiourea	96-45-7	January 1, 1988
Ethyleneimine	151-56-4	January 1, 1988
Fenoxycarb	72490-01-8	June 2, 2000
Folpet	133-07-3	January 1, 1989
Formaldehyde (gas)	50-00-0	January 1, 1988
2-(2-Formylhydrazino)-4-(5-nitro-2-furyl)thiazole	3570-75-0	January 1, 1988
FumonisinB ₁	116355-83-0	November 14, 2003
Furan	110-00-9	October 1, 1993
Furazolidone	67-45-8	January 1, 1990
Furmecyclox	60568-05-0	January 1, 1990
Fusarin C	79748-81-5	July 1, 1995
Gallium arsenide	1303-00-0	August 1, 2008
Ganciclovir	82410-32-0	August 26, 1997
Gasoline engine exhaust (condensates/extracts)	—	October 1, 1990
Gemfibrozil	25812-30-0	December 22, 2000
Glasswool fibers (airborne particles of respirable size)	—	July 1, 1990
Glu-P-1 (2-Amino-6-methylpyrido[1,2-a:3',2'-d]imidazole)	67730-11-4	January 1, 1990
Glu-P-2 (2-Aminodipyrido[1,2-a:3',2'-d]imidazole)	67730-10-3	January 1, 1990
Glycidaldehyde	765-34-4	January 1, 1988
Glycidol	556-52-5	July 1, 1990
Griseofulvin	126-07-8	January 1, 1990
Gyromitrin (Acetaldehyde methylformylhydrazone)	16568-02-8	January 1, 1988
HC Blue 1	2784-94-3	July 1, 1989
Heptachlor	76-44-8	July 1, 1988
Heptachlor epoxide	1024-57-3	July 1, 1988
Herbal remedies containing plant species of the genus Aristolochia	—	July 9, 2004
Hexachlorobenzene	118-74-1	October 1, 1987
Hexachlorocyclohexane (technical grade)	—	October 1, 1987
Hexachlorodibenzodioxin	34465-46-8	April 1, 1988
Hexachloroethane	67-72-1	July 1, 1990
2,4-Hexadienal (89% trans, trans isomer; 11% cis, trans isomer)	—	March 4, 2005
Hexamethylphosphoramide	680-31-9	January 1, 1988
Hydrazine	302-01-2	January 1, 1988
Hydrazine sulfate	10034-93-2	January 1, 1988
Hydrazobenzene (1,2-Diphenylhydrazine)	122-66-7	January 1, 1988
1-Hydroxyanthraquinone	129-43-1	May 27, 2005
Indeno [1,2,3-cd]pyrene	193-39-5	January 1, 1988
Indium phosphide	22398-80-7	February 27, 2001
IQ (2-Amino-3-methylimidazo[4,5-f]quinoline)	76180-96-6	April 1, 1990
Iprodione	36734-19-7	May 1, 1996
Iprovalicarb	140923-17-7	June 1, 2007
	140923-25-7	
Iron dextran complex	9004-66-4	January 1, 1988
Isobutyl nitrite	542-56-3	May 1, 1996
Isoprene	78-79-5	May 1, 1996
Isosafrole <u>Delisted December 8, 2006</u>	120-58-1	October 1, 1989
Isoxaflutole	141112-29-0	December 22, 2000

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
Lactofen	77501-63-4	January 1, 1989
Lasiocarpine	303-34-4	April 1, 1988
Lead acetate	301-04-2	January 1, 1988
Lead and lead compounds	—	October 1, 1992
Lead phosphate	7446-27-7	April 1, 1988
Lead subacetate	1335-32-6	October 1, 1989
Lindane and other hexachlorocyclohexane isomers	—	October 1, 1989
Lynestrenol	52-76-6	February 27, 2001
Mancozeb	8018-01-7	January 1, 1990
Maneb	12427-38-2	January 1, 1990
<u>Marijuana smoke</u>	—	<u>June 19, 2009</u>
Me-A-alpha-C (2-Amino-3-methyl-9H-pyrido[2,3-b]indole)	68006-83-7	January 1, 1990
Medroxyprogesterone acetate	71-58-9	January 1, 1990
MeIQ(2-Amino-3,4-dimethylimidazo[4,5-f]quinoline)	77094-11-2	October 1, 1994
MeIQx(2-Amino-3,8-dimethylimidazo[4,5-f]quinoxaline)	77500-04-0	October 1, 1994
Melphalan	148-82-3	February 27, 1987
Mepanipyridine	110235-47-7	July 1, 2008
Merphalan	531-76-0	April 1, 1988
Mestranol	72-33-3	April 1, 1988
Metham sodium	137-42-8	November 6, 1998
8-Methoxypsoralen with ultraviolet A therapy	298-81-7	February 27, 1987
5-Methoxypsoralen with ultraviolet A therapy	484-20-8	October 1, 1988
2-Methylaziridine (Propyleneimine)	75-55-8	January 1, 1988
Methylazoxymethanol	590-96-5	April 1, 1988
Methylazoxymethanol acetate	592-62-1	April 1, 1988
Methyl carbamate	598-55-0	May 15, 1998
3-Methylcholanthrene	56-49-5	January 1, 1990
5-Methylchrysene	3697-24-3	April 1, 1988
4,4' -Methylene bis(2-chloroaniline)	101-14-4	July 1, 1987
4,4' -Methylene bis(N,N-dimethyl)benzenamine	101-61-1	October 1, 1989
4,4' -Methylene bis(2-methylaniline)	838-88-0	April 1, 1988
4,4' -Methylenedianiline	101-77-9	January 1, 1988
4,4' -Methylenedianiline dihydrochloride	13552-44-8	January 1, 1988
Methyleugenol	93-15-2	November 16, 2001
Methylhydrazine and its salts	—	July 1, 1992
Methyl iodide	74-88-4	April 1, 1988
Methylmercury compounds	—	May 1, 1996
Methyl methanesulfonate	66-27-3	April 1, 1988
2-Methyl-1-nitroanthraquinone (of uncertain purity)	129-15-7	April 1, 1988
N-Methyl-N' -nitro-N-nitrosoguanidine	70-25-7	April 1, 1988
N-Methylolacrylamide	924-42-5	July 1, 1990
Methylthiouracil	56-04-2	October 1, 1989
Metiram	9006-42-2	January 1, 1990
Metronidazole	443-48-1	January 1, 1988
Michler's ketone	90-94-8	January 1, 1988
Mirex	2385-85-5	January 1, 1988
Mitomycin C	50-07-7	April 1, 1988
Monocrotaline	315-22-0	April 1, 1988
5-(Morpholinomethyl)-3-[(5-nitro-furfurylidene)-amino]-2-oxazolidinone	139-91-3	April 1, 1988
Mustard Gas	505-60-2	February 27, 1987
MX (3-chloro-4-(dichloromethyl)-5-hydroxy-2(5H)-furanone)	77439-76-0	December 22, 2000

<i>Chemical</i>	<i>CASNumber</i>	<i>Date</i>
Nafenopin	3771-19-5	April 1, 1988
Nalidixic acid	389-08-2	May 15, 1998
Naphthalene	91-20-3	April 19, 2002
1-Naphthylamine	134-32-7	October 1, 1989
2-Naphthylamine	91-59-8	February 27, 1987
Nickel (Metallic)	7440-02-0	October 1, 1989
Nickel acetate	373-02-4	October 1, 1989
Nickel carbonate	3333-67-3	October 1, 1989
Nickel carbonyl	13463-39-3	October 1, 1987
Nickel compounds	—	May 7, 2004
Nickel hydroxide	12054-48-7; 12125-56-3	October 1, 1989
Nickelocene	1271-28-9	October 1, 1989
Nickel oxide	1313-99-1	October 1, 1989
Nickel refinery dust from the pyrometallurgical process	—	October 1, 1987
Nickel subsulfide	12035-72-2	October 1, 1987
Niridazole	61-57-4	April 1, 1988
Nitrapyrin	1929-82-4	October 5, 2005
Nitrioltriactic acid	139-13-9	January 1, 1988
Nitrioltriactic acid, trisodium salt monohydrate	18662-53-8	April 1, 1989
5-Nitroacenaphthene	602-87-9	April 1, 1988
5-Nitro-o-anisidine <u>Delisted December 8, 2006</u>	99-59-2	October 1, 1989
o-Nitroanisole	91-23-6	October 1, 1992
Nitrobenzene	98-95-3	August 26, 1997
4-Nitrobiphenyl	92-93-3	April 1, 1988
6-Nitrochrysene	7496-02-8	October 1, 1990
Nitrofen (technical grade)	1836-75-5	January 1, 1988
2-Nitrofluorene	607-57-8	October 1, 1990
Nitrofurazone	59-87-0	January 1, 1990
1-[(5-Nitrofurfurylidene)-amino]-2-imidazolidinone	555-84-0	April 1, 1988
N-[4-(5-Nitro-2-furyl)-2-thiazolyl]acetamide	531-82-8	April 1, 1988
Nitrogen mustard (Mechlorethamine)	51-75-2	January 1, 1988
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	55-86-7	April 1, 1988
Nitrogen mustard N-oxide	126-85-2	April 1, 1988
Nitrogen mustard N-oxide hydrochloride	302-70-5	April 1, 1988
Nitromethane	75-52-5	May 1, 1997
2-Nitropropane	79-46-9	January 1, 1988
1-Nitropyrene	5522-43-0	October 1, 1990
4-Nitropyrene	57835-92-4	October 1, 1990
N-Nitrosodi-n-butylamine	924-16-3	October 1, 1987
N-Nitrosodiethanolamine	1116-54-7	January 1, 1988
N-Nitrosodiethylamine	55-18-5	October 1, 1987
N-Nitrosodimethylamine	62-75-9	October 1, 1987
p-Nitrosodiphenylamine	156-10-5	January 1, 1988
N-Nitrosodiphenylamine	86-30-6	April 1, 1988
N-Nitrosodi-n-propylamine	621-64-7	January 1, 1988
N-Nitroso-N-ethylurea	759-73-9	October 1, 1987
3-(N-Nitrosomethylamino)propionitrile	60153-49-3	April 1, 1990
4-(N-Nitrosomethylamino)-1-(3-pyridyl)1-butanone	64091-91-4	April 1, 1990
N-Nitrosomethylethylamine	10595-95-6	October 1, 1989
N-Nitroso-N-methylurea	684-93-5	October 1, 1987
N-Nitroso-N-methylurethane	615-53-2	April 1, 1988
N-Nitrosomethylvinylamine	4549-40-0	January 1, 1988

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
N-Nitrosomorpholine	59-89-2	January 1, 1988
N-Nitrosornicotine	16543-55-8	January 1, 1988
N-Nitrosopiperidine	100-75-4	January 1, 1988
N-Nitrosopyrrolidine	930-55-2	October 1, 1987
N-Nitrososarcosine	13256-22-9	January 1, 1988
o-Nitrotoluene	88-72-2	May 15, 1998
Norethisterone (Norethindrone)	68-22-4	October 1, 1989
Norethynodrel	68-23-5	February 27, 2001
Ochratoxin A	303-47-9	July 1, 1990
Oil Orange SS	2646-17-5	April 1, 1988
Oral contraceptives, combined	—	October 1, 1989
Oral contraceptives, sequential	—	October 1, 1989
Oryzalin	19044-88-3	September 12, 2008
Oxadiazon	19666-30-9	July 1, 1991
Oxazepam	604-75-1	October 1, 1994
Oxymetholone	434-07-1	January 1, 1988
Oxythioquinox (Chinomethionat)	2439-01-2	August 20, 1999
Palygorskite fibers (> 5µm in length)	12174-11-7	December 28, 1999
Panfuran S	794-93-4	January 1, 1988
Pentachlorophenol	87-86-5	January 1, 1990
Phenacetin	62-44-2	October 1, 1989
Phenazopyridine	94-78-0	January 1, 1988
Phenazopyridine hydrochloride	136-40-3	January 1, 1988
Phenesterin	3546-10-9	July 1, 1989
Phenobarbital	50-06-6	January 1, 1990
Phenolphthalein	77-09-8	May 15, 1998
Phenoxybenzamine	59-96-1	April 1, 1988
Phenoxybenzamine hydrochloride	63-92-3	April 1, 1988
o-Phenylenediamine and its salts	95-54-5	May 15, 1998
Phenyl glycidyl ether	122-60-1	October 1, 1990
Phenylhydrazine and its salts	—	July 1, 1992
o-Phenylphenate, sodium	132-27-4	January 1, 1990
o-Phenylphenol	90-43-7	August 4, 2000
PhiP(2-Amino-1-methyl-6-phenylimidazol[4,5-b]pyridine)	105650-23-5	October 1, 1994
Polybrominated biphenyls	—	January 1, 1988
Polychlorinated biphenyls	—	October 1, 1989
Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight)	—	January 1, 1988
Polychlorinated dibenzo-p-dioxins	—	October 1, 1992
Polychlorinated dibenzofurans	—	October 1, 1992
Polygeenan	53973-98-1	January 1, 1988
Ponceau MX	3761-53-3	April 1, 1988
Ponceau 3R	3564-09-8	April 1, 1988
Potassium bromate	7758-01-2	January 1, 1990
Pirimicarb	23103-98-2	July 1, 2008
Primidone	125-33-7	August 20, 1999
Procarbazine	671-16-9	January 1, 1988
Procarbazine hydrochloride	366-70-1	January 1, 1988
Procymidone	32809-16-8	October 1, 1994
Progesterone	57-83-0	January 1, 1988
Pronamide	23950-58-5	May 1, 1996
Propachlor	1918-16-7	February 27, 2001
1,3-Propane sultone	1120-71-4	January 1, 1988

<u>Chemical</u>	<u>CASNumber</u>	<u>Date</u>
Propargite	2312-35-8	October 1, 1994
beta-Propiolactone	57-57-8	January 1, 1988
Propoxur	114-26-1	August 11, 2006
Propylene glycol mono- <i>t</i> -butyl ether	57018-52-7	June 11, 2004
Propylene oxide	75-56-9	October 1, 1988
Propylthiouracil	51-52-5	January 1, 1988
Pyridine	110-86-1	May 17, 2002
Quinoline and its strong acid salts	—	October 24, 1997
Radionuclides	—	July 1, 1989
Reserpine	50-55-5	October 1, 1989
Residual (heavy) fuel oils	—	October 1, 1990
Resmethrin	10453-86-8	July 1, 2008
Riddelliine	23246-96-0	December 3, 2004
<u>Saccharin Delisted April 6, 2001</u>	81-07-2	October 1, 1989
<u>Saccharin, sodium Delisted January 17, 2003</u>	128-44-9	January 1, 1988
Safrole	94-59-7	January 1, 1988
Selenium sulfide	7446-34-6	October 1, 1989
Shale-oils	68308-34-9	April 1, 1990
Silica, crystalline (airborne particles of respirable size)	—	October 1, 1988
Soots, tars, and mineral oils (untreated and mildly treated oils and used engine oils)	—	February 27, 1987
Spironolactone	52-01-7	May 1, 1997
Stanozolol	10418-03-8	May 1, 1997
Sterigmatocystin	10048-13-2	April 1, 1988
Streptozotocin (streptozocin)	18883-66-4	January 1, 1988
Strong inorganic acid mists containing sulfuric acid	—	March 14, 2003
Styrene oxide	96-09-3	October 1, 1988
Sulfallate	95-06-7	January 1, 1988
Sulfasalazine (Salicylazosulfapyridine)	599-79-1	May 15, 1998
Talc containing asbestiform fibers	—	April 1, 1990
Tamoxifen and its salts	10540-29-1	September 1, 1996
Terrazole	2593-15-9	October 1, 1994
Testosterone and its esters	58-22-0	April 1, 1988
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	1746-01-6	January 1, 1988
1,1,2,2-Tetrachloroethane	79-34-5	July 1, 1990
Tetrachloroethylene (Perchloroethylene)	127-18-4	April 1, 1988
p-a,a,a-Tetrachlorotoluene	5216-25-1	January 1, 1990
Tetrafluoroethylene	116-14-3	May 1, 1997
Tetranitromethane	509-14-8	July 1, 1990
Thioacetamide	62-55-5	January 1, 1988
4,4'-Thiodianiline	139-65-1	April 1, 1988
Thiodicarb	59669-26-0	August 20, 1999
Thiouracil	141-90-2	June 11, 2004
Thiourea	62-56-6	January 1, 1988
Thorium dioxide	1314-20-1	February 27, 1987
Tobacco, oral use of smokeless products	—	April 1, 1988
Tobacco smoke	—	April 1, 1988
Toluene diisocyanate	26471-62-5	October 1, 1989
ortho-Toluidine	95-53-4	January 1, 1988
ortho-Toluidine hydrochloride	636-21-5	January 1, 1988
<u>para-Toluidine Delisted October 29, 1999</u>	106-49-0	January 1, 1990
Toxaphene (Polychlorinated camphenes)	8001-35-2	January 1, 1988
Treosulfan	299-75-2	February 27, 1987

<u>Chemical</u>	<u>CAS Number</u>	<u>Date</u>
Trichlormethine (Trimustine hydrochloride)	817-09-4	January 1, 1992
Trichloroethylene	79-01-6	April 1, 1988
2,4,6-Trichlorophenol	88-06-2	January 1, 1988
1,2,3-Trichloropropane	96-18-4	October 1, 1992
Trimethyl phosphate	512-56-1	May 1, 1996
2,4,5-Trimethylaniline and its strong acid salts	—	October 24, 1997
2,4,6-Trinitrotoluene (TNT)	118-96-7	December 19, 2008
Triphenyltin hydroxide	76-87-9	July 1, 1992
Tris(aziridiny)l-para-benzoquinone (Triaziquone)		
Delisted December 8, 2006	68-76-8	October 1, 1989
Tris(1-aziridiny)lphosphine sulfide (Thiotepa)	52-24-4	January 1, 1988
Tris(2-chloroethyl) phosphate	115-96-8	April 1, 1992
Tris(2,3-dibromopropyl)phosphate	126-72-7	January 1, 1988
Trp-P-1 (Tryptophan-P-1)	62450-06-0	April 1, 1988
Trp-P-2 (Tryptophan-P-2)	62450-07-1	April 1, 1988
Trypan blue (commercial grade)	72-57-1	October 1, 1989
Unleaded gasoline (wholly vaporized)	—	April 1, 1988
Uracil mustard	66-75-1	April 1, 1988
Urethane (Ethyl carbamate)	51-79-6	January 1, 1988
Vanadium pentoxide (orthorhombic crystalline form)	1314-62-1	February 11, 2005
Vinclozolin	50471-44-8	August 20, 1999
Vinyl bromide	593-60-2	October 1, 1988
Vinyl chloride	75-01-4	February 27, 1987
4-Vinylcyclohexene	100-40-3	May 1, 1996
4-Vinyl-1-cyclohexene diepoxide (Vinyl cyclohexene dioxide)	106-87-6	July 1, 1990
Vinyl fluoride	75-02-5	May 1, 1997
Vinyl trichloride (1,1,2-Trichloroethane)	79-00-5	October 1, 1990
2,6-Xylidine (2,6-Dimethylaniline)	87-62-7	January 1, 1991
Zileuton	111406-87-2	December 22, 2000
Zineb Delisted October 29, 1999	12122-67-7	January 1, 1990

CHEMICALS KNOWN TO THE STATE TO CAUSE REPRODUCTIVE TOXICITY

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Acetazolamide	developmental	59-66-5	August 20, 1999
Acetohydroxamic acid	developmental	546-88-3	April 1, 1990
Actinomycin D	developmental	50-76-0	October 1, 1992
All-trans retinoic acid	developmental	302-79-4	January 1, 1989
Alprazolam	developmental	28981-97-7	July 1, 1990
Altretamine	developmental, male	645-05-6	August 20, 1999
Amantadine hydrochloride	developmental	665-66-7	February 27, 2001
Amikacin sulfate	developmental	39831-55-5	July 1, 1990
Aminogluthethimide	developmental	125-84-8	July 1, 1990
Aminoglycosides	developmental	—	October 1, 1992
Aminopterin	developmental, female	54-62-6	July 1, 1987
Amiodarone hydrochloride	developmental, female, male	19774-82-4	August 26, 1997
Amitraz	developmental	33089-61-1	March 30, 1999
Amoxapine	developmental	14028-44-5	May 15, 1998
Anabolic steroids	female, male	—	April 1, 1990
Angiotensin converting enzyme (ACE) inhibitors	developmental	—	October 1, 1992

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Anisindione	developmental	117-37-3	October 1, 1992
Arsenic (inorganic oxides)	developmental	—	May 1, 1997
Aspirin (NOTE: It is especially important not to use aspirin during the last three months of pregnancy, unless specifically directed to do so by a physician because it may cause problems in the unborn child or complications during delivery.)	developmental, female	50-78-2	July 1, 1990
Atenolol	developmental	29122-68-7	August 26, 1997
Auranofin	developmental	34031-32-8	January 29, 1999
Azathioprine	developmental	446-86-6	September 1, 1996
Barbiturates	developmental	—	October 1, 1992
Beclomethasone dipropionate	developmental	5534-09-8	May 15, 1998
Benomyl	developmental, male	17804-35-2	July 1, 1991
Benzene	developmental, male	71-43-2	December 26, 1997
Benzodiazepines	developmental	—	October 1, 1992
Benzphetamine hydrochloride	developmental	5411-22-3	April 1, 1990
Bischloroethyl nitrosourea (BCNU) (Carmustine)	developmental	154-93-8	July 1, 1990
Bromacil lithium salt	developmental male	53404-19-6	May 18, 1999 January 17, 2003
1-Bromopropane	developmental, female, male	106-94-5	December 7, 2004
2-Bromopropane	female, male	75-26-3	May 31, 2005
Bromoxynil	developmental	1689-84-5	October 1, 1990
Bromoxynil octanoate	developmental	1689-99-2	May 18, 1999
Butabarbital sodium	developmental	143-81-7	October 1, 1992
1,3-Butadiene	developmental, female, male	106-99-0	April 16, 2004
1,4-Butanediol dimethane-sulfonate (Busulfan)	developmental	55-98-1	January 1, 1989
Butyl benzyl phthalate (BBP)	developmental	85-68-7	December 2, 2005
Cadmium	developmental, male	—	May 1, 1997
Carbamazepine	developmental	298-46-4	January 29, 1999
Carbon disulfide	developmental, female, male	75-15-0	July 1, 1989
Carbon monoxide	developmental	630-08-0	July 1, 1989
Carboplatin	developmental	41575-94-4	July 1, 1990
Chenodiol	developmental	474-25-9	April 1, 1990
Chlorambucil	developmental	305-03-3	January 1, 1989
Chlorcyclizine hydrochloride	developmental	1620-21-9	July 1, 1987
Chlordecone (Kepone)	developmental	143-50-0	January 1, 1989
Chlordiazepoxide	developmental	58-25-3	January 1, 1992
Chlordiazepoxide hydrochloride	developmental	438-41-5	January 1, 1992
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	developmental	13010-47-4	July 1, 1990
Chlorsulfuron	developmental, female, male	64902-72-3	May 14, 1999
Chromium (hexavalent compounds)	developmental, female, male	—	December 19, 2008
Cidofovir	developmental, female, male	113852-37-2	January 29, 1999
Cladribine	developmental	4291-63-8	September 1, 1996
Clarithromycin	developmental	81103-11-9	May 1, 1997
Clobetasol propionate	developmental, female	25122-46-7	May 15, 1998
Clomiphene citrate	developmental	50-41-9	April 1, 1990

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Clorazepate dipotassium	developmental	57109-90-7	October 1, 1992
Cocaine	developmental, female	50-36-2	July 1, 1989
Codeine phosphate	developmental	52-28-8	May 15, 1998
Colchicine	developmental, male	64-86-8	October 1, 1992
Conjugated estrogens	developmental	—	April 1, 1990
Cyanazine	developmental	21725-46-2	April 1, 1990
Cycloate	developmental	1134-23-2	March 19, 1999
Cyclohexanol	male	108-93-0	November 6, 1998
<u>Delisted January 25, 2002</u>			
Cycloheximide	developmental	66-81-9	January 1, 1989
Cyclophosphamide (anhydrous)	developmental, female, male	50-18-0	January 1, 1989
Cyclophosphamide (hydrated)	developmental, female, male	6055-19-2	January 1, 1989
Cyhexatin	developmental	13121-70-5	January 1, 1989
Cytarabine	developmental	147-94-4	January 1, 1989
Dacarbazine	developmental	4342-03-4	January 29, 1989
Danazol	developmental	17230-88-5	April 1, 1990
Daunorubicin hydrochloride	developmental	23541-50-6	July 1, 1990
2,4-D butyric acid	developmental, male	94-82-6	June 18, 1999
o,p' -DDT	developmental, female, male	789-02-6	May 15, 1998
p,p' -DDT	developmental, female, male	50-29-3	May 15, 1998
2,4 DP (dichloroprop)	developmental	120-36-5	April 27, 1999
<u>Delisted January 25, 2002</u>			
Demeclocycline hydrochloride (internal use)	developmental	64-73-3	January 1, 1992
Diazepam	developmental	439-14-5	January 1, 1992
Diazoxide	developmental	364-98-7	February 27, 2001
1,2-Dibromo-3-chloropropane (DBCP)	male	96-12-8	February 27, 1987
Di-n-butyl phthalate (DBP)	developmental, female, male	84-74-2	December 2, 2005
Dichlorophene	developmental	97-23-4	April 27, 1999
Dichlorophenamide	developmental	120-97-8	February 27, 2001
Diclofop methyl	developmental	51338-27-3	March 5, 1999
Dicumarol	developmental	66-76-2	October 1, 1992
Di(2-ethylhexyl)phthalate (DEHP)	developmental, male	117-81-7	October 24, 2003
Diethylstilbestrol (DES)	developmental	56-53-1	July 1, 1987
Diflunisal	developmental, female	22494-42-4	January 29, 1999
Di-n-hexyl phthalate (DnHP)	female, male	84-75-3	December 2, 2005
Dihydroergotamine mesylate	developmental	6190-39-2	May 1, 1997
Di-isodecyl phthalate (DIDP)	developmental	68515-49-1/ 26761-40-0	April 20, 2007
Diltiazem hydrochloride	developmental	33286-22-5	February 27, 2001
m-Dinitrobenzene	male	99-65-0	July 1, 1990
o-Dinitrobenzene	male	528-29-0	July 1, 1990
p-Dinitrobenzene	male	100-25-4	July 1, 1990
2,4-Dinitrotoluene	male	121-14-2	August 20, 1999
2,6-Dinitrotoluene	male	606-20-2	August 20, 1999
Dinitrotoluene (technical grade)	female, male	—	August 20, 1999
Dinocap	developmental	39300-45-3	April 1, 1990
Dinoseb	developmental, male	88-85-7	January 1, 1989
Diphenylhydantoin (Phenytoin)	developmental	57-41-0	July 1, 1987
Disodium cyanodithioimidocarbonate	developmental	138-93-2	March 30, 1999

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Doxorubicin hydrochloride (Adriamycin)	developmental, male	25316-40-9	January 29, 1999
Doxycycline (internal use)	developmental	564-25-0	July 1, 1990
Doxycycline calcium (internal use)	developmental	94088-85-4	January 1, 1992
Doxycycline hyclate (internal use)	developmental	24390-14-5	October 1, 1991
Doxycycline monohydrate (internal use)	developmental	17086-28-1	October 1, 1991
Endrin	developmental	72-20-8	May 15, 1998
Environmental tobacco smoke (ETS)	developmental	—	June 9, 2006
Epichlorohydrin	male	106-89-8	September 1, 1996
Ergotamine tartrate	developmental	379-79-3	April 1, 1990
Estropipate	developmental	7280-37-7	August 26, 1997
Ethionamide	developmental	536-33-4	August 26, 1997
Ethyl alcohol in alcoholic beverages	developmental	—	October 1, 1987
Ethyl dipropylthiocarbamate	developmental	759-94-4	April 27, 1999
Ethylene dibromide	developmental, male	106-93-4	May 15, 1998
Ethylene glycol monoethyl ether	developmental, male	110-80-5	January 1, 1989
Ethylene glycol monomethyl ether	developmental, male	109-86-4	January 1, 1989
Ethylene glycol monoethyl ether acetate	developmental, male	111-15-9	January 1, 1993
Ethylene glycol monomethyl ether acetate	developmental, male	110-49-6	January 1, 1993
Ethylene oxide	female	75-21-8	February 27, 1987
Ethylene thiourea	developmental	96-45-7	January 1, 1993
Etodolac	developmental, female	41340-25-4	August 20, 1999
Etoposide	developmental	33419-42-0	July 1, 1990
Etretinate	developmental	54350-48-0	July 1, 1987
Fenoxaprop ethyl	developmental	66441-23-4	March 26, 1999
Filgrastim	developmental	121181-53-1	February 27, 2001
Fluazifop butyl	developmental	69806-50-4	November 6, 1998
Flunisolid	developmental, female	3385-03-3	May 15, 1998
Fluorouracil	developmental	51-21-8	January 1, 1989
Fluoxymesterone	developmental	76-43-7	April 1, 1998
Flurazepam hydrochloride	developmental	1172-18-5	October 1, 1992
Flurbiprofen	developmental, female	5104-49-4	August 20, 1999
Flutamide	developmental	13311-84-7	July 1, 1990
Fluticasone propionate	developmental	80474-14-2	May 15, 1998
Fluvalinate	developmental	69409-94-5	November 6, 1998
Ganciclovir	developmental, male	82410-32-0	August 26, 1997
Ganciclovir sodium	developmental, male	107910-75-8	August 26, 1997
Gemfibrozil	female, male	25812-30-0	August 20, 1999
Goserelin acetate	developmental, female, male	65807-02-5	August 26, 1997
Halazepam	developmental	23092-17-3	July 1, 1990
Halobetasol propionate	developmental	66852-54-8	August 20, 1999
Haloperidol	developmental, female	52-86-8	January 29, 1999
Halothane	developmental	151-67-7	September 1, 1996
Heptachlor	developmental	76-44-8	August 20, 1999
Hexachlorobenzene	developmental	118-74-1	January 1, 1989
Hexafluoroacetone	male	684-16-2	August 1, 2008
Hexamethylphosphoramide	male	680-31-9	October 1, 1994
Histrelin acetate	developmental	—	May 15, 1998
Hydramethylnon	developmental, male	67485-29-4	March 5, 1999
Hydroxyurea	developmental	127-07-1	May 1, 1997

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Idarubicin hydrochloride	developmental, male	57852-57-0	August 20, 1999
Ifosfamide	developmental	3778-73-2	July 1, 1990
Iodine-131	developmental	10043-66-0	January 1, 1989
Isotretinoin	developmental	4759-48-2	July 1, 1987
Lead	developmental, female, male	—	February 27, 1987
Leuprolide acetate	developmental, female, male	74381-53-6	August 26, 1997
Levodopa	developmental	59-92-7	January 29, 1999
Levonorgestrel implants	female	797-63-7	May 15, 1998
Linuron	developmental	330-55-2	March 19, 1999
Lithium carbonate	developmental	554-13-2	January 1, 1991
Lithium citrate	developmental	919-16-4	January 1, 1991
Lorazepam	developmental	846-49-1	July 1, 1990
Lovastatin	developmental	75330-75-5	October 1, 1992
Mebendazole	developmental	31431-39-7	August 20, 1999
Medroxyprogesterone acetate	developmental	71-58-9	April 1, 1990
Megestrol acetate	developmental	595-33-5	January 1, 1991
Melphalan	developmental	148-82-3	July 1, 1990
Menotropins	developmental	9002-68-0	April 1, 1990
Meprobamate	developmental	57-53-4	January 1, 1992
Mercaptopurine	developmental	6112-76-1	July 1, 1990
Mercury and mercury compounds	developmental	—	July 1, 1990
Methacycline hydrochloride	developmental	3963-95-9	January 1, 1991
Metham sodium	developmental	137-42-8	May 15, 1998
Methazole	developmental	20354-26-1	December 1, 1999
Methimazole	developmental	60-56-0	July 1, 1990
Methotrexate	developmental	59-05-2	January 1, 1989
Methotrexate sodium	developmental	15475-56-6	April 1, 1990
Methyl bromide as a structural fumigant	developmental	74-83-9	January 1, 1993
Methyl chloride	developmental	74-87-3	March 10, 2000
Methyl mercury	developmental	—	July 1, 1987
N-Methylpyrrolidone	developmental	872-50-4	June 15, 2001
Methyltestosterone	developmental	58-18-4	April 1, 1990
Metiram	developmental	9006-42-2	March 30, 1999
Midazolam hydrochloride	developmental	59467-96-8	July 1, 1990
Minocycline hydrochloride (internal use)	developmental	13614-98-7	January 1, 1992
Misoprostol	developmental	59122-46-2	April 1, 1990
Mitoxantrone hydrochloride	developmental	70476-82-3	July 1, 1990
Myclobutanil	developmental, male	88671-89-0	April 16, 1999
Nabam	developmental	142-59-6	March 30, 1999
Nafarelin acetate	developmental	86220-42-0	April 1, 1990
Neomycin sulfate (internal use)	developmental	1405-10-3	October 1, 1992
Netilmicin sulfate	developmental	56391-57-2	July 1, 1990
Nickel carbonyl	developmental	13463-39-3	September 1, 1996
Nicotine	developmental	54-11-5	April 1, 1990
Nifedipine	developmental, female, male	21829-25-4	January 29, 1999
Nimodipine	developmental	66085-59-4	April 24, 2001
Nitrapyrin	developmental	1929-82-4	March 30, 1999
Nitrofurantoin	male	67-20-9	April 1, 1991
Nitrogen mustard (Mechlorethamine)	developmental	51-75-2	January 1, 1989

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Nitrogen mustard hydrochloride (Mecholethamine hydrochloride)	developmental	55-86-7	July 1, 1990
Nitrous oxide	developmental	10024-97-2	August 1, 2008
Norethisterone (Norethindrone)	developmental	68-22-4	April 1, 1990
Norethisterone acetate (Norethindrone acetate)	developmental	51-98-9	October 1, 1991
Norethisterone (Norethindrone) /Ethinyl estradiol	developmental	68-22-4/ 57-63-6	April 1, 1990
Norethisterone (Norethindrone)/Mestranol	developmental	68-22-4/ 72-33-3	April 1, 1990
Norgestrel	developmental	6533-00-2	April 1, 1990
Oxadiazon	developmental	19666-30-9	May 15, 1998
Oxazepam	developmental	604-75-1	October 1, 1992
Oxydemeton methyl	female, male	301-12-2	November 6, 1998
Oxymetholone	developmental	434-07-1	May 1, 1997
Oxytetracycline (internal use)	developmental	79-57-2	January 1, 1991
Oxytetracycline hydrochloride (internal use)	developmental	2058-46-0	October 1, 1991
Oxythioquinox (Chinomethionat)	developmental	2439-01-2	November 6, 1998
Paclitaxel	developmental, female, male	33069-62-4	August 26, 1997
Paramethadione	developmental	115-67-3	July 1, 1990
Penicillamine	developmental	52-67-5	January 1, 1991
Pentobarbital sodium	developmental	57-33-0	July 1, 1990
Pentostatin	developmental	53910-25-1	September 1, 1996
Phenacemide	developmental	63-98-9	July 1, 1990
Phenprocoumon	developmental	435-97-2	October 1, 1992
Pimozide	developmental, female	2062-78-4	August 20, 1999
Pipobroman	developmental	54-91-1	July 1, 1990
Plicamycin	developmental	18378-89-7	April 1, 1990
Polybrominated biphenyls	developmental	—	October 1, 1994
Polychlorinated biphenyls	developmental	—	January 1, 1991
Potassium dimethyldithiocarbamate	developmental	128-03-0	March 30 1999
Pravastatin sodium	developmental	81131-70-6	March 3, 2000
Prednisolone sodium phosphate	developmental	125-02-0	August 20, 1999
Procarbazine hydrochloride	developmental	366-70-1	July 1, 1990
Propargite	developmental	2312-35-8	June 15, 1999
Propylthiouracil	developmental	51-52-5	July 1, 1990
Pyrimethamine	developmental	58-14-0	January 29, 1999
Quazepam	developmental	36735-22-5	August 26, 1997
Quizalofop-ethyl	male	76578-14-8	December 24, 1999
Resmethrin	developmental	10453-86-8	November 6, 1998
Retinol/retinyl esters, when in daily dosages in excess of 10,000 IU, or 3,000 retinol equivalents. (NOTE: Retinol/retinyl esters are required and essential for maintenance of normal reproductive function. The recommended daily level during pregnancy is 8,000 IU.)	developmental	—	July 1, 1989

<u>Chemical</u>	<u>Type of Reproductive Toxicity</u>	<u>CAS No.</u>	<u>Date Listed</u>
Ribavirin	developmental	36791-04-5	April 1, 1990
	male	36791-04-5	February 27, 2001
Rifampin	developmental, female	13292-46-1	February 27, 2001
Secobarbital sodium	developmental	309-43-3	October 1, 1992
Sermorelin acetate	developmental	—	August 20, 1999
Sodium dimethyldithiocarbamate	developmental	128-04-1	March 30, 1999
Sodium fluoroacetate	male	62-74-8	November 6, 1998
Streptomycin sulfate	developmental	3810-74-0	January 1, 1991
Streptozocin (streptozotocin)	developmental, female, male	18883-66-4	August 20, 1999
Sulfasalazine (Salicylazosulfapyridine)	male	599-79-1	January 29, 1999
Sulindac	developmental, female	38194-50-2	January 29, 1999
Tamoxifen citrate	developmental	54965-24-1	July 1, 1990
Temazepam	developmental	846-50-4	April 1, 1990
Teniposide	developmental	29767-20-2	September 1, 1996
Terbacil	developmental	5902-51-2	May 18, 1999
Testosterone cypionate	developmental	58-20-8	October 1, 1991
Testosterone enanthate	developmental	315-37-7	April 1, 1990
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	developmental	1746-01-6	April 1, 1991
Tetracycline (internal use)	developmental	60-54-8	October 1, 1991
Tetracyclines (internal use)	developmental	—	October 1, 1992
Tetracycline hydrochloride (internal use)	developmental	64-75-5	January 1, 1991
Thalidomide	developmental	50-35-1	July 1, 1987
Thioguanine	developmental	154-42-7	July 1, 1990
Thiophanate methyl	female, male	23564-05-8	May 18, 1999
Tobacco smoke (primary)	developmental, female, male	—	April 1, 1988
Tobramycin sulfate	developmental	49842-07-1	July 1, 1990
Toluene	developmental	108-88-3	January 1, 1991
Triadimefon	developmental, female, male	43121-43-3	March 30, 1999
Triazolam	developmental	28911-01-5	April 1, 1990
Tributyltin methacrylate	developmental	2155-70-6	December 1, 1999
Trientine hydrochloride	developmental	38260-01-4	February 27, 2001
Triforine	developmental	26644-46-2	June 18, 1999
Trilostane	developmental	13647-35-3	April 1, 1990
Trimethadione	developmental	127-48-0	January 1, 1991
Trimetrexate glucuronate	developmental	82952-64-5	August 26, 1997
Triphenyltin hydroxide	developmental	76-87-9	March 18, 2002
Uracil mustard	developmental, female, male	66-75-1	January 1, 1999
Urethane	developmental	51-79-6	October 1, 1994
Urofollitropin	developmental	97048-13-0	April 1, 1990
Valproate (Valproic acid)	developmental	99-66-1	July 1, 1987
Vinblastine sulfate	developmental	143-67-9	July 1, 1990
Vinclozolin	developmental	50471-44-8	May 15, 1998
Vincristine sulfate	developmental	2068-78-2	July 1, 1990
Vinyl cyclohexene dioxide (4-Vinyl-1-cyclohexene diepoxide)	female, male	106-87-6	August 1, 2008
Warfarin	developmental	81-81-2	July 1, 1987
Zileuton	developmental, female	111406-87-2	December 22, 2000

Date: June 19, 2009

OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT

CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
(Proposition 65)

NOTICE TO INTERESTED PARTIES
June 19, 2009

MARIJUANA SMOKE LISTED
EFFECTIVE June 19, 2009
AS KNOWN TO THE STATE OF CALIFORNIA
TO CAUSE CANCER

The Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency is adding marijuana smoke to the Proposition 65¹ list, effective **June 19, 2009**.

Marijuana smoke was considered by the Carcinogen Identification Committee (CIC) of the OEHHA Science Advisory Board² at a public meeting held on May 29, 2009. The CIC determined that *marijuana smoke* was clearly shown, through scientifically valid testing according to generally accepted principles, to cause cancer. Consequently, marijuana smoke is being added to the Proposition 65 list, pursuant to Title 27, California Code of Regulations, section 25305(a)(1) (formerly Title 22, California Code of Regulations, section 12305(a)(1)).

A complete, updated chemical list is published elsewhere in this issue of the *California Regulatory Notice Register*.

In summary, marijuana smoke is being listed under Proposition 65 as ***known to the State to cause cancer***:

Chemical	CAS No.	Toxicological Endpoint	Listing Mechanism
Marijuana smoke	—	Cancer	State's Qualified Experts

¹ Health and Safety Code section 25249.5 et seq., Safe Drinking Water and Toxic Enforcement Act of 1986.

² Health and Safety Code section 25249.8(b) and Title 27, Cal. Code of Regs., section 25302 et seq.

OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT

California Environmental Protection Agency
Office of Environmental Health Hazard
Assessment
Notice to Interested Parties

June 19, 2009

ANNOUNCEMENT OF FIRST
PUBLIC COMMENT PERIOD AND
WORKSHOP

Draft Technical Support Document on
Proposed Public Health Goals for
Trihalomethanes in Drinking Water

The Office of Environmental Health Hazard Assessment (OEHHA) within the California Environmental Protection Agency is announcing the availability of the draft technical support document for the proposed Public Health Goals (PHGs) for trihalomethanes (THMs) in drinking water. The draft document on THMs is a new risk assessment, culminating an extensive evaluation of the toxicity of the chemicals in this group, which include chloroform, bromodichloromethane, chlorodibromomethane, and bromoform. The draft document is posted on the OEHHA Web site at www.oehha.ca.gov. OEHHA is soliciting comments on the draft report during a 45-day comment period. The Office will also hold a public workshop on August 7, 2009 at the Elihu Harris Building, 1515 Clay Street, Oakland, 94612, Room 12, 10 a.m.–12 noon, or until business is concluded. OEHHA follows the requirements set forth in Health and Safety Code Sections 57003(a) and 116365 for conducting the workshop and receiving public input.

Written comments must be received at the OEHHA address below by 5:00 p.m. on August 7, 2009, to be considered during this document revision period. The workshop is provided to encourage a dialogue between OEHHA scientists and the public, to discuss the scientific basis of the proposed PHG, and to receive comments. Following the workshop, OEHHA will evaluate all the comments received, revise the document as appropriate, and make it available for another 30-day comment period. After any subsequent revisions, the final document will be posted on our Web site along with responses to the major comments from the public at the workshop and during the public review and scientific comment periods.

The PHG technical support documents provide information on the health effects of contaminants in drinking water. The PHG is a level of drinking water contaminant at which adverse health effects are not expected to occur from a lifetime of exposure. The California Safe Drinking Water Act of 1996¹ requires OEHHA to develop PHGs based exclusively on public health considerations.² PHGs published by OEHHA are considered by the California Department of Public Health in setting drinking water standards (Maximum Contaminant Levels, or MCLs).³

If you would like to receive further information on this announcement or have questions, please contact our office at (510) 622-3170 or the address below.

Mr. Michael Baes (mbaes@oehha.ca.gov)
Pesticide and Environmental Toxicology Branch
Office of Environmental Health Hazard Assessment
California Environmental Protection Agency
1515 Clay St., 16th floor
Oakland, California 94612

Attention: PHG Project

DISAPPROVAL DECISION

DEPARTMENT OF WATER RESOURCES

State of California
Office of Administrative Law

In re:

Department of Water Resources

**Regulatory Action: Title 23
California Code of Regulations**

Adopt sections: 570, 571, 572, 573, 574, 575, 576

**DECISION OF DISAPPROVAL OF
REGULATORY ACTION**

Government Code Section 11349.3

**OAL File No. 2009-0417-02S
DECISION SUMMARY**

On April 17, 2009, the Department of Water Resources ("Department") submitted to the Office of Administrative Law ("OAL") a proposed action to adopt Chapter 4.5 of Division 2 of Title 23 (commencing with section 570) regarding Financial Assistance for Flood Management Projects and Small Flood Management Projects.

On June 1, 2009, OAL notified the Department that OAL disapproved this regulatory action for failure to comply with specified standards and procedures of the California Administrative Procedure Act ("APA"). The reason for the disapproval is failure to make changes to the regulations available to the public for comments as required by Government Code section 11346.8.

Date: June 8, 2009

Peggy J. Gibson
Staff Counsel

for: SUSAN LAPSLEY
Director

Original: Lester Snow
Cc: Karin Shine
Varda Disho

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2009-0521-03

AIR RESOURCES BOARD

AB 118 Air Quality Guidelines — Air Quality Improvement Program and Alternative, Renewable Fuel and Vehicle Technology

This is the resubmission of an action that adopts regulations intended to assure that projects funded by the ARB through the Air Quality Improvement Program and by the Energy Commission through the Alternative and Renewable Fuel and Vehicle Technology Program will not interfere with achievement of ambient air quality standards and will maintain or improve upon benefits of the state implementation plan and clean fuels regulations.

¹ Codified at Health and Safety Code, section 116270 et seq.

² Health and Safety Code section 116365(c).

³ Health and Safety Code section 116365(a) and (b).

Title 13
California Code of Regulations
ADOPT: 2340, 2341, 2342, 2343, 2344, 2345
Filed 06/04/2009
Effective 06/04/2009
Agency Contact: Amy Whiting (916) 322-6533

File# 2009-0422-02
BOARD OF BEHAVIORAL SCIENCES
Disciplinary Guidelines

This action updates the Board's disciplinary guidelines which are incorporated by reference in CCR, title 16, section 1888.

Title 16
California Code of Regulations
AMEND: 1888
Filed 06/03/2009
Effective 07/03/2009
Agency Contact: Tracy Rhine (916) 574-7847

File# 2009-0423-01
BOARD OF EQUALIZATION
Nonsubstantive change relating to AB3

Board of Equalization submitted this action without regulatory effect pursuant to title 1, California Code of Regulations, section 100 to amend title 18 regulatory provisions pertaining to partial exemptions from sales and use taxes on specified property in Revenue and Taxation Code sections 6378, 6356.5, 6357.1, 6356.6, and 6358.5. Amendments to title 18, California Code of Regulations, section 1532, Appendix A and Appendix B to section 1532, and sections 1533.1, 1533.2, 1534, and 1535 were submitted as nonsubstantive, conforming revisions based on recent enactment of Revenue and Taxation Code sections 6051.7 and 6201.7 (Stats. 2009-10 3rd Ex. Sess., ch. 18 (ABX33, Evans)).

Title 18
California Code of Regulations
AMEND: 1532, 1533.1, 1533.2, 1534, 1535
Filed 06/04/2009
Agency Contact:
Richard Bennion (916) 445-2130

File# 2009-0429-01
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
Amend Section 106, Title 4

The California Department of Alcoholic Beverage Control (Department) amends section 106 of title 4 of the California Code of Regulations concerning the advertising and merchandising of alcoholic beverages as a result of AB 1245 (Chapter 629, Statutes of 2008) and SB 1246 (Chapter 395, Statutes of 2008). Specifically,

the Department is (1) changing the limit for consumer advertising specialties furnished by a beer manufacturer to the general public from \$.25 to \$3.00 per unit original cost to the beer manufacturer who purchased it; and (2) allowing beer wholesalers to sell or rent exterior signs at not less than cost.

Title 4
California Code of Regulations
AMEND: 106
Filed 06/04/2009
Effective 07/04/2009
Agency Contact:
Matthew D. Botting (916) 263-6893

File# 2009-0526-01
FAIR POLITICAL PRACTICES COMMISSION
Candidates with Multiple Controlled Committees

The Fair Political Practices Commission is adopting section 18405, title 2, California Code of Regulations, entitled "Candidates With Multiple Controlled Committees".

Title 2
California Code of Regulations
ADOPT: 18405
Filed 06/09/2009
Effective 07/09/2009
Agency Contact:
Virginia Latteri-Lopez (916) 324-3854

File# 2009-0422-03
PUBLIC UTILITIES COMMISSION
Rules of Practice and Procedure

The Public Utilities Commission is amending their Rules of Practice and Procedures. OAL has performed a limited review pursuant to Government Code section 11351 and Public Utilities Code section 311(h).

Title 20
California Code of Regulations
AMEND: 1.4, 1.6, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 1.15, 1.16, 2.3, 2.6, 3.2, 3.6, 8.1, 8.2, 8.3, 11.6, 13.9, 14.2, 14.3, 14.6, 15.2, 17.3, 17.4, 18.1
Filed 06/04/2009
Effective 07/04/2009
Agency Contact: Hallie Yacknin (415) 703-1675

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN January 7, 2009 TO
June 10, 2009**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted

by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

01/20/09 AMEND: 260
01/20/09 AMEND: Appendix A, Std. Form 400

Title 2

06/09/09 ADOPT: 18405
06/01/09 ADOPT: 250.1
05/21/09 AMEND: 18705.1
05/14/09 ADOPT: 21000, 21001, 21002, 21003, 21004, 21005, 21006, 21007, 21008, 21009
05/08/09 ADOPT: 18410 AMEND: 18402
04/30/09 AMEND: 1859.129, 1859.197
04/28/09 AMEND: div. 8, ch. 111, section 59560
04/22/09 ADOPT: 1859.148.2, 1859.166.2
AMEND: 1859.2, 1859.121, 1859.164.2, 1859.197
03/05/09 AMEND: 18704
02/17/09 AMEND: 51.3
02/02/09 AMEND: 18402, 18450.3
01/30/09 ADOPT: 18427.5
01/30/09 ADOPT: 18421.8, 18521.5 AMEND: 18401
01/27/09 AMEND: 2294
01/26/09 AMEND: 1859.104.1
01/21/09 ADOPT: 1859.184.1 AMEND: 1859.2, 1859.103, 1859.184
01/12/09 AMEND: div. 8, ch. 24, secs. 45100, 45127, 45128
01/08/09 ADOPT: 18420.1
01/08/09 ADOPT: 18944.3 AMEND: 18944.1

Title 3

06/01/09 AMEND: 3406(b)
06/01/09 ADOPT: 3408
05/26/09 AMEND: 3434(b)
05/20/09 AMEND: 3434(b)
05/20/09 AMEND: 3434(b)
05/13/09 AMEND: 6800
05/04/09 AMEND: 3434(b)
04/27/09 AMEND: 3434(b)
04/20/09 AMEND: 6452.2
03/30/09 AMEND: 3434(b)
03/25/09 AMEND: 6860
03/23/09 AMEND: 3423(b)
03/19/09 ADOPT: 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222.1, 1222.4, 1209, 1209.1, 1245.1, 1245.2, 1245.3, 1245.4, 1260.2, 1269, 1269.1, 1269.2, 1271 AMEND: 1200, 1201, 1202, 1204, 1205, 1206,

1207, 1208, 1222, 1223, 1223.1, 1235, 1236, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1245.1, 1245.2, 1245.3, 1245.4, 1245.5, 1245.6, 1245.7, 1245.8, 1245.9, 1245.10, 1245.11, 1245.12, 1245.13, 1245.14, 1245.15, 1245.16, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1260.1, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270 REPEAL: 1203, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1237

03/18/09 AMEND: 3435(b)
03/10/09 AMEND: 3434
03/05/09 AMEND: 3591.20(a)
03/04/09 AMEND: 3435
02/27/09 AMEND: 3434(b)
02/26/09 AMEND: 850
02/19/09 AMEND: 3434(b)
02/13/09 AMEND: 3406(b)
02/10/09 AMEND: 3060.4(a)(1)(C)(1), 3652(k)
02/05/09 AMEND: 3434(b)
02/02/09 AMEND: 3406(b)
01/21/09 ADOPT: 3591.22(a), 3591.22(b), 3591.22(c), 3591.22(d)
01/21/09 ADOPT: 3591.21(a), 3591.21(b), 3591.21(c)
01/20/09 REPEAL: 3664, 3665, 3666, 3667, 3668, 3669
01/14/09 AMEND: 3434(b)
01/13/09 AMEND: 3434(b)
01/12/09 AMEND: 3589(a)

Title 4

06/04/09 AMEND: 106
05/18/09 ADOPT: 12488, 12508, 12510, 12511, 12514 AMEND: 12480, 12486
05/18/09 ADOPT: 12482
05/12/09 AMEND: 406
05/12/09 ADOPT: 12591
04/24/09 ADOPT: 12480, 12492, 12494, 12496, 12498, 12499, 12501, 12502, 12504 AMEND: 12482
04/24/09 AMEND: 12482
03/23/09 AMEND: 10175, 10176, 10177, 10182, 10185, 10187, 10188, 10189, 10190
03/11/09 AMEND: 1865
03/10/09 ADOPT: 12388, 12410
03/05/09 ADOPT: 2066
03/05/09 ADOPT: 1504.5 AMEND: 1481, 1486
03/04/09 AMEND: 2073

02/23/09	ADOPT: 8102, 8102.1, 8102.2, 8102.3, 8102.5, 8102.6, 8102.7, 8102.8, 8102.9, 8102.11, 8102.12, 8102.13, 8102.14, 8102.15 AMEND: 8090, 8091, 8092, 8093, 8094, 8095, 8096, 8097, 8098, 8099, 8100, 8101 REPEAL: 8102.10	2908, 2910, 2931, 2932, 2933, 2934, 2935, 2946, 2974 REPEAL: 2742
02/13/09	ADOPT: 12362	
02/11/09	ADOPT: 8078.1 AMEND: 8070, 8072, 8076, 8078	03/04/09 AMEND: 3248
01/13/09	ADOPT: 4027, 4027.1, 4027.2, 4027.3, 4027.4, 4027.5	03/02/09 ADOPT: 15475.1, 15475.2, 15475.3, 15482, 15482.1, 15482.2, 15483, 15484, 15485, 15486, 15486.1, 15487, 15488, 15489, 15489.1, 15490, 15490.1, 15491, 15496, 15497, 15497.1, 15498, 15499, 15499.5 AMEND: 15201, 15203, 15203.1, 15203.2, 15203.3, 15203.4, 15203.5, 15203.6, 15203.7, 15203.8, 15203.9, 15203.10, 15204, 15205, 15210, 15210.1, 15210.2, 15210.3, 15211, 15211.1, 15211.2, 15215, 15230, 15251, 15353, 15360, 15405, 15470, 15471, 15472, 15473, 15474, 15475, 15476, 15477, 15478, 15479, 15480, 15481, 15601.7
Title 5		
05/28/09	AMEND: 9521	
05/11/09	AMEND: 80023, 80024.4, 80024.5, 80024.6, 80025.5, 80026, 80026.1, 80026.6, 80034.5 REPEAL: 80024.3, 80026.4, 80042, 80042.5, 80569	
05/11/09	AMEND: 24002, 24003, 24005	
05/07/09	ADOPT: 3090, 3090.1, 3091, 3092, 3093, 3094, 3095, 3096, 3096.1, 3096.2, 3097, 3098, 3098.1, 3098.2, 3099	03/02/09 AMEND: 3209, 3299, 4885, 5049, 5085, 5152, 5193, 5207, 5215, 5297, 5299, 5302, 5304, 5449, 6402, 6503, 6600
04/30/09	ADOPT: 26000	02/25/09 REPEAL: 10116.4, 10122, 10122.1, 10123, 10123.2, 10123.3, 10124, 10124.1, 10125, 10125.1, 10125.2, 10125.3, 10126, 10127, 10127.1, 10127.2, 10127.3, 10128, 10129, 10129.1, 10130, 10131, 10131.1, 10131.2, 10132, 10132.1, 10133, 10133.2, 10133.4, 10133.10, 10133.11, 10133.12, 10133.13, 10133.14, 10133.15, 10133.16, 10133.17, 10133.18, 10133.19, 10133.20, 10133.21, 10133.22
03/27/09	AMEND: 3001, 3051, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070	02/18/09 AMEND: 3664, 3732, 3737, 3944, 4186, 4307.1, 4345, 4353, 4354
03/05/09	AMEND: 80225	02/13/09 AMEND: 3336, 3650, 3653
02/17/09	AMEND: 80413, 80487	02/09/09 AMEND: 3231, 3277, Appendix B Following Section 3299, Appendix A following Section 3326, 3340, 3341, 3575, Appendices A, B, C, D, E, F, G following Section 3583
02/04/09	ADOPT: 9800, 9810, 9820, 9830	
01/20/09	ADOPT: 9517.1	01/29/09 AMEND: 4994
Title 8		
05/01/09	AMEND: 3030, 3037, 3089, 3097, 3098, 3101, 3107	01/28/09 AMEND: 4999
05/01/09	AMEND: 4530	01/20/09 AMEND: Appendix B following sections 1529, 5208, 8358
04/20/09	AMEND: 10100.2, 10101.1, 10103.2, 10104, 10105, 10106.1, 10106.5, 10107.1, 10108, 10109, 10111.1, 10111.2, 10112, 10113.4, 10113.5, 10114.2, 10115, 10115.1, 10115.2	01/15/09 AMEND: 2500.7
04/06/09	ADOPT: 227, 314, 389 AMEND: 281, 303, 323, 368, 523	01/13/09 ADOPT: 29, 31.1, 31.3, 31.7, 32.6, 36.5, 41.5, 41.6, 41.7, 63, 120, 121, 122, 123, 124 AMEND: 1, 10, 11, 11.5, 12, 13, 14, 15, 16, 17, 18, 19, 20, 30, 30.5, 31, 31.5, 32, 33, 34, 35, 35.5, 36, 38, 39, 39.5, 40, 41, 43, 44, 45, 46, 46.1, 47, 49, 49.2, 49.4, 49.6, 49.8, 49.9, 50, 51, 52, 54, 55, 56, 57, 60, 61, 62, 65, 100, 102, 103, 104, 105,
04/01/09	ADOPT: 2710.1, 2716.1, 2718, 2718.1, 2738, 2739.0, 2739.4, 2742.0, 2742.1, 2742.2, 2742.3, 2745.0, 2745.1, 2749.2, 2754.1, 2754.2, 2796, 2799.1, 2799.2, 2799.3, 2799.4, 2799.5, 2799.6, 2812.2, 2812.3, 2832, 2833.1, 2833.2, 2882.2, 2985.0, 2985.1, 2985.2, 2987.0, 2987.1, 2989.0, 2989.1 AMEND: 2700, 2706, 2707, 2710, 2712, 2714, 2715, 2725, 2735, 2739.1, 2743, 2745.2, 2749.1, 2753, 2790, 2791, 2792, 2795, 2797, 2799.0, 2805, 2810, 2812.1, 2816, 2819, 2820, 2833, 2845, 2847, 2863, 2873, 2874, 2875, 2880, 2882.1, 2890, 2893,	

106, 107, 108, 109, 110, 111, 112, 113, 116, 117, 118, 119, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159 REPEAL: 10.5, 32.5, 37, 53, 70, 71, 72, 73, 74, 75, 76, 76.5, 77, 101, 114, 115

Title 9

02/06/09 ADOPT: 4000, 4005
01/07/09 AMEND: 7400

Title 10

06/01/09 ADOPT: Article 1, 2031.1, 2031.2, 2031.3, 2031.4, 2031.5, 2031.6, Article 2, 2031.7, 2031.8, Article 3, 2031.9, Article 4, 2031.10
06/01/09 ADOPT: 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10
06/01/09 ADOPT: 2850.1, 2850.2, 2850.3, 2850.4, 2850.5, 2850.6, 2850.7, 2850.8, 2850.9, 2850.10
05/29/09 ADOPT: 5500, 5501, 5502, 5503, 5504, 5505, 5506, 5507
05/12/09 AMEND: 2716.1, 2790.1.5, 2810.5
05/01/09 AMEND: 2699.6603
03/27/09 AMEND: 2498.6 (Exhibit C)
03/25/09 AMEND: 2661.3, 2661.4, 2662.1
03/23/09 AMEND: 2498.6
02/26/09 AMEND: 2699.6805
02/23/09 AMEND: 2318.6, 2353.1
02/23/09 AMEND: 2498.6
02/19/09 AMEND: 5000, 5110, 5111, 5112, 5113, 5114, 5116, 5117 REPEAL: 5119
02/05/09 ADOPT: 2308.1, 2308.2, 2308.3
01/15/09 AMEND: 2699.6707, 2699.6711, 2699.6721, 2699.6723, 2699.6725, 2699.6809
01/14/09 AMEND: 2698.100, 2698.200, 2698.201, 2698.206, 2698.300, 2698.301
01/12/09 AMEND: 2498.5

Title 11

05/21/09 AMEND: 1005, 1007, 1008
04/17/09 AMEND: 30.1
04/01/09 ADOPT: 9056, 9057, 9058, 9059, 9060 AMEND: 1018
04/01/09 ADOPT: 9050, 9051, 9052, 9053, 9054, 9055 REPEAL: 1002
03/30/09 ADOPT: 30.15
03/03/09 AMEND: 9070, 9077
02/18/09 REPEAL: 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327
02/03/09 ADOPT: 64.7
01/28/09 AMEND: 51.19

Title 12

02/26/09 ADOPT: 800, 800.1, 801, 802, 803, 804, 805, 806, 807, 808, 809

01/27/09 AMEND: 501
01/12/09 AMEND: 503

Title 13

06/04/09 ADOPT: 2340, 2341, 2342, 2343, 2344, 2345
05/22/09 ADOPT: 225.38 AMEND: 225.00, 225.03, 225.06, 225.09, 225.21, 225.35, 225.45, 225.48, 225.54, 225.72
03/18/09 ADOPT: 1962.1 AMEND: 1900, 1962, 1962.1 renumber as 1962.2
03/10/09 ADOPT: 1160.6 AMEND: 1160.3, 1160.4
02/26/09 ADOPT: 29.00
02/05/09 ADOPT: 20.05 AMEND: 20.04
02/05/09 AMEND: 25.08
01/20/09 AMEND: 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2708, 2709, 2710

Title 13, 17

05/29/09 ADOPT: Title 13: 2299.2, Title 17: 93118.2 AMEND: Title 13: 2299.1, Title 17: 93118

Title 14

06/02/09 AMEND: 7.50(b)(91.1)
05/26/09 AMEND: 7.00, 7.50
05/21/09 AMEND: 7.50(b)(178)
05/15/09 AMEND: 790, 818.02, 827.02
05/14/09 ADOPT: 874.2.5 AMEND: 790, 873.1, 873.2, 873.4, 873.5, 873.7, 874.2, 877.2, 877.3 REPEAL: 873.3
05/13/09 AMEND: 25201
05/07/09 AMEND: 25201
05/04/09 AMEND: 670.5
04/27/09 ADOPT: 749.5
04/08/09 AMEND: 2245, 2320
03/18/09 AMEND: 632
03/16/09 ADOPT: 20004.1, 20009.1, 20009.2 AMEND: 20000, 20001, 20002, 20003, 20004, 20005, 20008, 20009
03/04/09 AMEND: 2000, 2090, 2516, 2530, 2620, 2630, 2660, 2670, 2720, 2730
03/03/09 ADOPT: 27.32 AMEND: 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 27.51, 28.26, 28.27, 28.28, 28.29, 28.48, 28.49, 28.51, 28.52, 28.53, 28.54, 28.55, 28.56, 28.57, 28.58
03/02/09 AMEND: 791.7(a), Form FG OSPR-1924, Form FG OSPR-1925, Form FG OSPR-1972
02/25/09 AMEND: 1038, 1052
02/23/09 ADOPT: 749.4
01/28/09 AMEND: 701
01/13/09 AMEND: 300
01/12/09 ADOPT: 4970.00, 4970.01, 4970.02, 4970.03, 4970.04, 4970.05, 4970.06.1,

4970.06.2, 4970.06.3, 4970.07,
4970.07.1, 4970.07.2, 4970.08, 4970.09,
4970.10, 4970.10.1, 4970.10.2,
4970.10.3, 4970.10.4, 4970.11, 4970.12,
4970.13, 4970.14, 4970.14.1, 4970.14.2,
4970.14.3, 4970.15, 4970.15.1,
4970.15.2, 4970.15.3, 4970.15.4,
4970.16, 4970.17, 4970.18, 4970.19,
4970.19.1, 4970.19.2, 4970.19.3,
4970.19.4, 4970.19.5, 4970.19.6,
4970.20, 4970.21, 4970.22, 4970.23,
4970.23.1, 4970.23.2, 4970.24,
4970.25.1, 4970.25.2, 4970.25.3,
4970.26 REPEAL: 4970.49, 4970.50,
4970.51, 4970.52, 4970.53, 4970.54,
4970.55, 4970.56, 4970.57, 4970.58,
4970.59, 4970.60, 4970.61, 4970.62,
4970.63, 4970.64, 4970.65, 4970.66,
4970.67, 4970.68, 4970.69, 4970.70,
4970.71, 4970.72

Title 15

05/12/09 AMEND: 3000, 3190, 3375, 3376.1,
3379
05/04/09 AMEND: 3335(d)(3)
04/20/09 AMEND: 1004, 1006, 1007, 1008, 1012,
1013, 1018, 1027, 1028, 1029, 1032,
1040, 1044, 1045, 1046, 1055, 1056,
1059, 1063, 1066, 1082, 1101, 1105,
1144, 1151, 1161, 1209, 1217, 1230,
1241, 1243, 1245, 1247, 1262, 1272
04/02/09 ADOPT: 3334 AMEND: 3000
02/05/09 ADOPT: 3077, 3077.1, 3077.2, 3077.3,
3077.4 AMEND: 3000, 3043.6, 3375
02/02/09 ADOPT: 1800, 1806, 1812, 1814, 1830,
1831, 1840, 1847, 1848, 1849, 1850,
1851, 1852, 1853, 1854, 1856, 1857,
1860, 1866, 1867, 1868, 1870, 1872,
1876, 1878, 1888, 1890, 1892

Title 16

06/03/09 AMEND: 1888
06/02/09 AMEND: 1419, 1419.1, 1419.3
05/20/09 ADOPT: 1815 AMEND: 1886.40
04/28/09 AMEND: 1524
04/27/09 AMEND: 1760
04/03/09 AMEND: 3830
03/24/09 ADOPT: 1398.12
03/20/09 AMEND: 1937, 1950, 1950.5, 1953
03/11/09 AMEND: 1715, 1784, Form 17M-13,
Form 17M-14, Form 17M-26
03/04/09 AMEND: 4181
03/04/09 AMEND: 1351.5, 1352
03/04/09 ADOPT: 389
03/04/09 AMEND: 998
03/04/09 AMEND: 950.2

03/03/09 AMEND: 305 REPEAL: 306.1
02/11/09 AMEND: 950.3
02/03/09 ADOPT: 2068.7
01/28/09 AMEND: 950.2
01/28/09 ADOPT: 1832.5
01/09/09 ADOPT: 2504.1, 2517.5, 2564.1, 2575.5
AMEND: 2537, 2540.6, 2590, 2592.6

Title 17

04/24/09 AMEND: 30100, 30346.1, 30373
03/11/09 AMEND: 93119
02/03/09 ADOPT: 100701
01/29/09 ADOPT: 33060 AMEND: 33007, 33010,
33020, 33025, 33030, 33040
01/28/09 AMEND: 950.2
01/28/09 ADOPT: 1832.5

Title 18

06/04/09 AMEND: 1532, 1533.1, 1533.2, 1534,
1535
05/21/09 AMEND: 25114
05/12/09 AMEND: 1502
04/29/09 AMEND: 1591
04/06/09 ADOPT: 25113 AMEND: 25111
03/19/09 AMEND: 23701, 23772
03/11/09 AMEND: 1506, 1524
03/11/09 AMEND: 1705
02/05/09 AMEND: 1620

Title 20

06/04/09 AMEND: 1.4, 1.6, 1.7, 1.8, 1.9, 1.10,
1.11, 1.12, 1.13, 1.14, 1.15, 1.16, 2.3, 2.6,
3.2, 3.6, 8.1, 8.2, 8.3, 11.6, 13.9, 14.2,
14.3, 14.6, 15.2, 17.3, 17.4, 18.1
04/22/09 ADOPT: 3100, 3101, 3101.5, 3102,
3103, 3104, 3105, 3106, 3107, 3108

Title 21

05/14/09 AMEND: 1554, 1556

Title 22

05/21/09 AMEND: 2601-1
04/21/09 AMEND: 51543
03/12/09 AMEND: 51517
03/03/09 ADOPT: 63000.48, 63051, 63052
AMEND: 63000.16, 63000.25,
63000.43, 63000.46, 63000.66,
63000.68, 63000.77, 63010, 63011,
63013, 63020, 63021, 63029, 63030,
63040, 63050, 63055 REPEAL: 63051
02/04/09 ADOPT: 66260.201, 66260.202,
66273.7, 66273.33.5, 66273.41,
66273.70, 66273.71, 66273.72,
66273.73, 66273.74, 66273.75,
66273.76, and 66273.77 AMEND:
66260.10, 66260.23, 66261.4, 66261.9,
66261.50, appendix X of chapter 11,
66264.1, 66265.1, 66273.1, 66273.2,
66273.3, 66273.4, 66273.5, 66273.6,

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		01/23/09	AMEND: 51000.6.1, 51000.8, 51000.16, 51000.20, 51000.20.1, 51000.24.1, 51000.25.2, 51000.30, 51000.50, 51000.51, 51000.52, 51000.53, 51000.55, 51000.60
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		01/15/09	AMEND: 101115
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		06/01/09	ADOPT: 2631.2
		05/14/09	ADOPT: 2920
		02/19/09	ADOPT: 3939.35
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		01/07/09	ADOPT: 3939.34
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		05/07/09	ADOPT: 6932 REPEAL: 6932
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